2014 City Council Minutes

Regular Meetings

January 9, 2014

January 23, 2014

February 13, 2014

February 27, 2014

March 13, 2014

March 27, 2014

April 10, 2014

April 24, 2014

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Special Meetings

January 6, 2014 Transportation

February 10, 2014 Budget

February 27, 2014 Budget

March 13, 2014 Budget

March 14, 2014 Extension of Premises

March 24, 2014 Sales Tax

March 24, 2014 System Development Fees

March 27, 2014 Employee Organizations

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April 24, 2014 Home Rule

May 2, 2014 Budget

May 19, 2014 Budget

June 12, 2014 Budget

August 11, 2014 Airport

August 14, 2014 Bonds

September 16, 2014 City Magistrate

November 17, 2014 Transit Services

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, January 6, 2014 in the Council Conference Room, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 5:08 p.m.

The following members were present:

Jay Tibshraeny	Mayor
Jack Sellers	Vice Mayor
Jeff Weninger	Councilmember
Nora Ellen	Councilmember
Trinity Donovan	Councilmember
Rick Heumann	Councilmember
Kevin Hartke	Councilmember

Mayor Tibshraeny explained there were two items for the Special meeting. One is an item to allow the Council to recess into an Executive Session and the other is a Transportation Update by staff. He said the Council will first vote to adjourn into Executive Session.

SET AN EXECUTIVE SESSION FOR THE PURPOSE OF:

1. Personnel Matters, A.R.S. § 38-431.03(A)(1) – Possible discussion or consideration by the public body of one or more of the candidates for appointment to the position of City Attorney.

MOVED HARTKE, SECONDED BY HEUMANN to adjourn to an Executive Session. MOTION CARRIED UNANIMOUSLY (7-0)

RECESS: The City Council recessed to Executive Session at 5:08 p.m.

RECONVENE: The Mayor reconvened the Special meeting at 5:56 p.m.

TRANSPORTATION UPDATE:

Transportation and Development Director R.J. Zeder introduced T&D staff Jason Crampton, and Rex Hartmann and consultant Jeff Martin.

Mr. Dan Cook, Transportation Manager, said existing transit services serve mostly north Chandler. South and east routes are primarily in the evening hours or special trips. He displayed a map showing the Chandler Transit Routes.

Mr. Cook reviewed the transit funding in Chandler

- Public Transportation Fund (Proposition 400 funding) is $135 million over 20 years. In 2013-14 - $5.7 million.
- Arizona Lottery Fund (formerly LTAF) is $700,000 yearly. Funds non-ADA Dial a Ride, and some bus service
- Chandler General Fund $517,000 per year. Funds fixed route, RideChoice and local O&M.

- Advertising Revenue - $90,000 per year for O&M and Contingency Reserve.

He showed a graph displaying a "Comparison of Transit All Funding in Other Valley Cities".

He then reviewed the Future Transit Options:

New/Extended Bus Routes
*Ray Rd. Local Bus / $750k year – 30 min. headways
*Rural Rd. LINK/BRT $155k year
To Downtown Chandler
6 AM peak hour trips
6 PM peak hour trips
Dependent on Tempe Service
*Chandler Blvd. LINK/BRT
$1.1 m / year
Future service, Phoenix to Williams Gateway Airport
Downtown / Mall Circulator
Cost $730,000 per year. 6 a.m. to 9 p.m. approx. 30 min. headways / 60 min on weekends.
Transit in Southeast Chandler
Restore Route 96 (Dobson) $330,000 year
Route 136 $430,000 year (Gilbert Rd)
Route 112 (Az Avenue) $240,000 year
Queen Creek Road $690,000 year

Enhanced Service on Existing Routes
- Route 156 (Chandler Blvd) Peak Service Improvement $330,000 year.
- Enhanced Az Avenue LINK Service $820,000 year, 30 min. to 12 –min peak / 60 min. to 24 min. off peak

High Capacity Transit on Arizona Avenue
Light Rail
Street Car
Fixed Guideway BRT

The Planned Regional Rail System map was reviewed.

Mr. Cook reviewed the listing showing the "Other Regional High Capacity Transit Projects Competing for Prop 500 Funding".

Map Potential Arizona Avenue alignments

Steps to Move Toward High Capacity Transit
*Conduct HCT Long Range Study – Completed
*Conduct HCT Project Development Plan
- Work with City of Mesa
Complete the Plan in advance of next RTP
Positions the AZ Ave. Corridor for Prop 500

*Land Use Planning
Update land use policies to better promote high density, transit oriented development (TOD) This is essential to receive federal funding
*Enhanced Transit

Improve transit routes connecting to Arizona Avenue

Timeline for HCT Study to Prop 500
Complete HCT Project Development Plan, 12-18 months
Complete Revised RTP 12-18 months
Complete Final Prop 500 Program of projects 12 month
Need to start our Chandler HCT Study 3-4 years in advance of determining the Prop 500 program of projects

Mr. Cook reviewed the need to Complete the HCT Project Development Plan to position Chandler for HCT on Arizona Avenue to be included in the next Regional Transportation Plan (RTP) and Prop 500. The need to promote transit-oriented development along Arizona Avenue to have successful light rail line.

CHANDLER FREEWAYS
Reviewed the remaining freeway improvements.
*Price L101 General Purpose Lanes
Currently in Preliminary Design, Programmed for 2019-26, borrow funding from South Mountain Freeway to advance construction
*Santan L202 General Purpose Lanes
Planned for 2019-26, construct Price L101 to Gilbert Road FIRST, advance funding from I-17 Spine Project.

Capital Improvement Program – Arterial Street in Southeast Chandler

Displayed a map showing arterial street improvement projects in southeast Chandler.

Construction Funding: ALCP Funding is about $55 Million available for southeast Chandler . City Transportation Bonds, remaining voter approved authorization is $125 million, about $50 million available for Southeast Chandler.

MCDOT Contribution: estimated at $8 million,. Other Grant funding (MCDT, State, Federal): TBD, potential to reserve some HURF funding.

Total: $113 million plus other grants.

Street Maintenance and Rehabilitation

Mr. Cook noted there are over 2000 miles in the current street inventory. One half were done in the 1980s and 1990s. The use of additional $700,000 one-time monies in FY2013-14 produced 66 lane miles. The Pavement Quality Index (PQI) 1-100 is used to determine maintenance needs. 70 is breakpoint for slurry seal. 40-20 is mill & overlay. 20 is rebuild. He showed examples of street conditions using the PQI.

Mr. Cook reviewed the cost of one mile maintenance. Chandler Boulevard, Alma School Road to Arizona Avenue. The current maintenance practice is a 50 year life cycle. This would include 2 TRMSS, 4 Slurry Seals, 1 Mill & Overlay at a cost of $1,125,000.
If Pavement Replacement was done over the 50 year life cycle, it would have been 2 Full Pavement Replacements at a cost of $3,670,000. It would be 3.26 times more expensive to replace than to maintain.

In summary, Mr. Cook reported the street maintenance goal is to maintain the citywide pavement quality index between 56 and 70. The slurry seal and micro seal program needs additional one-time funding of $500,000 to $1 million per year. Also needed is additional capital funding for mill and overlay/re-paving program in about $2 million per year for the next several years to maintain the new roads from the 1990's and 2000's.

Mayor Tibshraeny adjourned the meeting at 7:26 p.m.

ATTEST:

City Clerk

Mayor

Approval Date of Minutes: January 8, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on January 6, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12 day of January 2015

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, January 9, 2014 at 7:10 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Rick Heumann	Councilmember*
	Jeff Weninger	Councilmember*

Councilmember Heumann participated via telephone. Councilmember Weninger participated via telephone and arrived at the meeting at 7:17 p.m. during Scheduled Public Appearances.

Also in attendance:	Rich Dlugas	City Manager
	Pat McDermott	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	Acting City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Mike Sproul, Tri-City Baptist Church, gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Donovan led the Pledge of Allegiance.

SCHEDULED PUBLIC APPEARANCES:

1. CPR Lifesaving Award:

Fire Chief Jeff Clark awarded the Heart Saver Hero Award to Mr. Jaden Ray for his CPR actions he performed on Mr. Larry Tucker on November 14, 2013. Mr. Tucker expressed his appreciation to Mr. Ray and the fire/paramedics.

2. Sister Cities International Art and Author Showcase Winners:

Mayor Tibshraeny introduced Ellen Harrington, President of Tullamore Sister Cities. Ms. Harrington, assisted by Barbara Olivieri, recognized the following students: First Place Essay winner, Ryan Meyer, Seton Catholic Preparatory High School; First Place Art winner Elizabeth Hopwood, Seton Catholic High School is the and was one of 10 entries across the United States receiving a national finalist art award; and Rachel Beglin, Hamilton High School was awarded first place poetry Grand Prize winner.

CONSENT:

MOVED BY COUNCILMEMBER DONOVAN TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION WAS SECONDED BY COUNCILMEMBER HARTKE.

Councilmember Hartke declared his nay vote on Item 3 (Council compensation)

MOTION CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTION NOTED.

1. MINUTES:

The following City Council Minutes were approved:

1a. Special (Review Growth) Meeting of October 21, 2013.
1b. Regular Meeting of December 9, 2013.
1c. Special Meeting of December 12, 2013.
1d. Regular Meeting of December 12, 2013.

2. CITY CODE AMENDMENT: Chapter 43 Ord. #4515

ADOPTED Ordinance No. 4515 amending Chandler City Code, Chapter 43, Section 43-4.5, Subsections 43-4.5.A, 43-4.5.B, 43-4.5.D, 43-4.5.E, 43-4.5.F and 43-4.5.I, adopting updated versions of existing design and construction standards.

3. CITY CODE AMENDMENT: Chapter 2 Ord. #4517

COUNCILMEMBER HARTKE VOTED NAY.

ADOPTED (6-1) Ordinance No. 4517 amending Chandler City Code Chapter 2, Section 2-2, relating to compensation of Mayor, Vice Mayor and Council Members.

4. CITY CODE AMENDMENT: Chapter 15 Ord. #4473

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4473 amending Chandler City Code, Chapter 15, Section 1, to exclude certain transactions of wireless service providers from the definition of Secondhand Dealers.

BACKGROUND
Chapter 15 of the City Code defines a Secondhand Dealer as any person engaged in conducting, managing, or carrying on an ongoing business of buying, selling, trading, exchanging, consigning or otherwise dealing in secondhand goods and antiques. Those that meet this definition are required to obtain finger print clearance of every manager and assistant manager at the establishment, apply and pay for the additional licensing, report all defined transactions to the Police Department daily and hold items received for a period no less than 10 days.

While the provisions of the code are created to remove valid concerns of citizens and the pawnbroker/secondhand dealer business community, the current business practice of many of the wireless service providers to allow for a credit or discount on the purchase of a new mobile

device with the trade-in of an existing device is outside of the intent of this code provision, but these transactions meet the technical definition of the code.

The purpose of the requested change is to exclude certain transactions of wireless service providers from the provisions of the special regulatory license, specifically exempting transactions involving the trade-in of a customer's old mobile device on an established customer account for an account credit or discount on the purchase of a new mobile device from meeting the definition of secondhand dealer.

These transactions deal with customers that have a business relationship with the vendor. The risk of stolen or ill-gotten goods being used in traceable transactions such as these is significantly reduced due to the relationship created. The practice of trading in one's old mobile device for a credit or discount on a new device is becoming the everyday business process for the majority of wireless service providers, and the extra requirements under this code section adds little benefit or security to these specific types of transactions. This change will make it easier for wireless service providers to operate in the City of Chandler while not increasing the type of behavior meant to be curtailed by the code.

5. LIQUOR LICENSE: Sun Chinese Dining

APPROVED a Series 12 Restaurant Liquor License (Chandler #150385 L12) for Yeong Sil Kim, Agent, Song San Corporation, dba Sun Chinese Dining, 1381 N. Alma School Road. A recommendation for approval of State Liquor License #12079700 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. This application reflects a change in ownership. Transportation and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as Sun Chinese Dining.

6. CONTINUE LIQUOR LICENSE: Talebu Coffee

CONTINUED TO JANUARY 23, 2014, a Series 12 Liquor License for Todd Macalady, Agent, Talebu LLC, dba Talebu Coffee and Wine Bar, 2905 N. Alma School Road, Suite 2, to allow the applicant time to complete the requirements for a new Use Permit.

ACTION:

7. ELECTION of Vice-Mayor for a one-year term from January 10, 2014 through January 8, 2015.

MAYOR TIBSHRAENY nominated Councilmember Rick Heumann to serve as Vice Mayor. The nomination was seconded by Councilmember Hartke.

THE MOTION CARRIED UNANIMOUSLY (7-0).

PUBLIC HEARING:

PH 1. 2013-2023 LAND USE ASSUMPTIONS AND INFRASTRUCTURE IMPROVEMENTS PLAN

BACKGROUND:

In order to continue to collect System Development Fees after August 1, 2014, the City must comply with Arizona Revised Statute §9-463.05 and adopt Land Use Assumptions and an Infrastructure Improvements Plan (IIP). These items are incorporated into the System Development Fee Update report. This Public hearing is required prior to Council adoption of the Land Use Assumptions and IIP included in the report on February 13, 2014. *(Note: The report also includes preliminary changes to System Development Fees but changes to fees will not be finalized until after Council adopts the Land Use Assumptions and IIP. A Public Hearing on changes to the fees is planned for March 24, 2014.)*

The process of establishing Land Use Assumptions and an IIP was initiated by contracting with a consultant, as required by Arizona Revised Statutes, to prepare the System Development Fee Update. The Land Use Assumptions section of the report incorporates information provided by City Planners to establish current land use, projected land use in 10 years and projected land use at build-out. Single-family, multi-family, office, retail and commercial uses of land have been projected to establish the need for growth-related infrastructure.

The IIP section of the report identifies the exiting level of service for eligible categories of infrastructure (arterial streets, parks, fire, police, library, water, wastewater and reclaimed water) and identifies the anticipated cost of future infrastructure needed to support growth. The IIP also establishes a Service Area that each category of infrastructure supports, as required by State Statute. Management Services worked closely with Transportation and Development, as well as other impacted departments, to create the draft report. The draft report has been vetted with the Communications and Public Affairs, Information Technology and Management Services Council subcommittee and with individual Council Members during October and November 2013. The draft report was also provide to stakeholders representing single-family and multi-family developers, commercial builders, and others and a meeting was held to summarize the report and to hear and address any questions or concerns.

The draft report was posted on the City's web site on November 7, 2013, to provide interested parties with a minimum of 60 days advance notice of the planned Public Hearing and a link to the report was disseminated through social media. The report has continued to be updated for editorial corrections, clarifications and refinements to the capital plan in concert with development of the preliminary 2015-2024 Capital Improvement Program. As mentioned during the Council Subcommittee presentations, the fees shown in the draft report are a work in progress and have continued to be modified as projects are added or deleted from the plan. The fees shown in the attached version of the report are the most current projections, but may be further revised before the March 24th Public Hearing on the fees.

The Public Hearing process provides citizens and other stakeholders with the opportunity to address Council to either support or express concerns about the Land Use Assumptions and IIP. Again fees shown in the report are preliminary, pending Council approval of the Land Use

Assumptions and IIP and will be part of a separate Public Hearing process scheduled for March 24, 2014.

OPEN PUBLIC HEARING:

MAYOR TIBSHRAENY opened the public hearing at 7:25 p.m.

DISCUSSION:
MS. DAWN LANG, Management Services Director explained this Public Hearing was the next step in the update to the System Development Fees.

She explained Senate Bill 1525 was enacted during 2011 and became effective during FY2011-12. The System Development Fee statute was completely changed. She commented that Duncan Associates was hired to assist in updating the System Development Fee Plan.

MS. JULIE BUELT, Sr. Financial Analyst, stated the service area requirement was added as a new requirement as part of Senate Bill 1525, even though Chandler has always had a service area that its fees are charged in. She explained that arterial streets continue to be charged only in a subsection of the city; with a minor change of removing a portion of the downtown area. Ms. Buelt said the park fee is charged citywide; however, the city is divided into 3 service areas.

All other fee categories cover the entire city. She reviewed the Land Use assumptions are located on page 21 of the report. This is a new requirement, but Chandler as well as other cities, have always followed. She noted that projections must be made for a 10 year timeframe in addition to the time period between now and build-out.

In response to a question from Councilmember Weninger, Ms. Buelt explained that the public category would include facilities such as churches.

MR. GREG WESTRUM, Budget Manager explained the Infrastructure Improvement Plan (IIP) and that it differs from the Capital Improvement Plan (CIP) in that the IIP only includes growth related projects. Another key difference is this also incorporates loans from the General Fund or Bond monies to advance some of the growth projects. He stated another difference is the IIP does not assign specific years to the projects, as that is a function of the CIP.

Mr. Westrum reviewed the Arterial Streets IIP. He noted the one item that is unique for this list is the Prop 400 money that is received by Maricopa Association of Governments for these projects. That funding gets netted out from the money received from the Impact Fees.

Mr. Westrum noted the listing of neighborhood parks that are either under construction or have yet to be put into place. As previously noted, they are separated into three geographic areas. The fee will be a little different in each of those parts in the city based on the number of new parks going into those areas.

He stated there are no future projects for the Library IIP, only collection of past debt of $1.29 million which was used to purchase the Sunset Library.

The two Fire projects are Station 1 relocation, currently in progress, and a plan for construction of an additional fire station in 6-7 years.

Police IIP includes repayments on outstanding debts. In response to a question from the Mayor, Mr. Westrum stated the funds were received from general fund, interfund loans, and in some cases from the sale of bond funds.

Mr. Westrum noted that the category of Public Buildings was no longer among approved categories for System Development Fees. There is an outstanding debt of $3.9 million.

Mr. Westrum stated the large project for the Water IIP is the Joint Water Treatment Plant expansion. Water purchases is an increasingly important project at $70,000,000. He noted the existing loan amounts for repayment.

Mr. Westrum noted the Water Reclamation Facility expansion was the largest project under the Wastewater IIP and the Reclaimed Water IIP included two projects.

MS. LANG noted the upcoming hearings and actions before Council in the next four months.

MAYOR TIBSHRAENY asked if building permit fees would be affected by these changes. Ms. Lang stated that the fees will increase slightly.

COUNCILMEMBER WENINGER asked if there were time stipulations as part of the development or building of projects. Ms. Lang stated that under the new process there is a time limit and it is different for each.

MR. CLANCY MULLEN, DUNCAN ASSOCIATES, stated the time limit from collecting to spending on the non-utility fee was 10 years. There is a 15 year time limit to spend the money for utility projects.

PUBLIC COMMENT:
MR. DOUG FROST, 813 N. Sicily Drive, spoke in support of the impact fees as they are an important way to spread the cost of development.

MAYOR TIBSHRAENY CLOSED THE PUBLIC HEARING AT 7:49 P.M.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor announced the 19th Annual Multi-Cultural Festival on January 18, 2014. Mayor noted a Naturalization Ceremony will also be held during the Festival. The mayor added the ASU – Chandler Innovation Center and TechShop grand opening on January 17, 2014.

The Mayor announced that Vice Mayor Sellers has been nominated to the State Transportation Board. He noted his involvement at the state level would be a benefit to the State with his

expertise as well as to Chandler to have a voice for local needs and wants.

Mayor Tibshraeny noted the new Police Chief Sean Duggan will begin January 13, 2014. In addition, the Mayor thanked Acting Chief Dave Neuman for his leadership during this time.

B. Councilmembers' Announcements

COUNCILMEMBER WENINGER expressed his congratulations to Councilmember Sellers for his appointment; to Councilmember Heumann for his election to Vice Mayor; and his appreciation to Pastor Sproul for his recent military service.

COUNCILMEMBER WENINGER congratulated his son Christian for his involvement in the Super Service Challenge. He created a video and won a $5,000 donation to Childhelp.

VICE MAYOR SELLERS stated his congratulations to the new Vice Mayor. Mr. Sellers said he is honored and excited to be nominated by the Governor to serve.

COUNCILMEMBER DONOVAN congratulated Councilmember Heumann on his term as Vice Mayor.

COUNCILMEMBER HARTKE expressed his congratulations to Vice Mayor Sellers and to Christian Weninger.

COUNCILMEMBER ELLEN congratulated Vice Mayor Sellers for his term as Vice Mayor and his appointment. She also congratulated Christian Weninger. She added special congratulations to Councilmember Donovan on her pregnancy.

COUNCILMEMBER HEUMANN announced the Sci-Tech event on February 20-22, 2014. He thanked the Intel Corporation for being the lead sponsor of the event. He congratulated Vice Mayor Sellers and expressed his appreciation in being selected as incoming Vice Mayor. He added his congratulations to Councilmember Donovan.

C. City Manager's Announcements

City Manager Dlugas thanked Acting Police Chief Neuman for his leadership and guidance and noted this was the second time serving as Acting Chief.

Adjournment: The meeting was adjourned at approximately 8:01 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: January 23, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 9th day of January 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 24 day of January, 2014.

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, January 23, 2014 at 7:02 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Pat McDermott	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	Acting City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Tyronne Stowe – Gospel "4" Life Church

PLEDGE OF ALLEGIANCE: Vice Mayor Heumann led the Pledge of Allegiance.

SCHEDULED PUBLIC APPEARANCES:

1. Service Recognition Awards:

Mr. Kevin Collins, Maintenance Worker for Transportation & Development was recognized for his 10 years of service with the City.

Mr. Johnny Flippo, Signs and Marking Field Supervisor, was recognized for his 35 years of service with the City.

2. Special Recognition:

Asst. City Manager Pat McDermott was recognized for his more than 25 years of service to the City of Chandler. Mayor Tibshraeny noted the upcoming retirement of Mr. McDermott and proclaimed February 7, 2014 as Pat McDermott Day in Chandler. Each Councilmember expressed their appreciation and congratulations.

CONSENT:

MR. BILL KNOTTS, HOA President of McQueen Lakes, addressed Item 6 (Ocotillo Landing) expressed concerns regarding cut through traffic. He explained the residents of Kirby Estates often use Canyon Way to cut though. He asked for the postponement of Item 6 to provide time to research the feasibility for the extension of Brooks Farm Road. He stated there is no speed calming in that area.

VICE MAYOR HEUMANN asked if traffic counts were completed for this project. ERIK SWANSON, Planner, explained a traffic study was commissioned which found the neighbors to the west were cutting through typically in the 8 a. m. and 5 p.m. hours. He said after meeting with the City Engineer and staff, it was decided that there are other options to help alleviate the traffic such as speed humps and posting signs.

COUNCILMEMBER WENINGER ASKED ABOUT ITEM 19. COMMUNITY SERVICES DIRECTOR MARK EYNATTEN said this item was reviewed by the Council once before, however there was no construction money available at that time. Since then, they have done extra research and gathered together $391,000 for construction costs. LIBRARY MANAGER BRENDA BROWN said the area in question is about 5200 s.f. and is comprised of the old Council Chambers and video studio, and staff offices. She stated the vision is to accommodate 4-5 meeting rooms of various sizes that can flexibly be used for programming.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER ELLEN, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

VICE MAYOR HEUMANN declared his nay vote on Item 40 (Preliminary Plat – Staybridge Suites Hotel). In regards to Item No. 6, he asked that Staff to continue to work with the neighborhood on calming measures.

MOTION CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTION NOTED ON ITEM 40.

1. MINUTES:

APPROVED the following Chandler City Council Minutes:

1a. Special Meeting of January 9, 2014.
1b. Regular Meeting of January 9, 2014.

2. CITY CODE AMENDMENT: Chapter 15 Ord. #4473

ADOPTED Ordinance No. 4473 amending Chandler City Code, Chapter 15, Section 1, to exclude certain transactions of wireless service providers from the definition of Secondhand Dealers.

3. CITY CODE AMENDMENT: Chapter 17 Ord. #4483

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4483 amending Chandler City Code, Chapter 17, Sections 17-1 through 17-9, 17-12 through 17-14, and 17-16 relating to Massage Establishments.

BACKGROUND

A massage establishment is any place of business where any massage technique is administered, practiced or used. Chapter 17 of the Code of the City of Chandler sets permit, licensing, building, administrative and moral conduct requirements for massage establishments and their personnel. Compliance to the Code requirements is determined through undercover operations by the Chandler Police Department and inspections by Tax and Licensing.

When a massage establishment is determined to be in violation of any section of the Civil Code, a massage establishment permit is revoked and the owner has 10 days to appeal the revocation. If the revocation is appealed, the massage establishment continues to operate and a hearing is held with the Management Services Director as the Hearing Officer. If the first appeal hearing upholds the revocation, the owner of the massage establishment has the ability for a second appeal to the City Manager or designee, all the while continuing to operate.

While the provisions of Chapter 17 were created to keep activities lawful in a business commonly susceptible to illegal behavior, certain provisions are being interpreted loosely and in need of clarification or revision. Through discussions between the City Manager's office, Management Services, Police and Law, the following substantive changes are included in this amendment, as well as some minor clarifications:

1) Employee definition added to clarify that any person who is performing massage techniques within the establishment (i.e. independent contractor or sub-lessee) is considered an employee for the purpose of Chapter 17.
2) Hearing Officer definition added to be City Manager or designee.
3) Section 17-2, Permit and license requirements clarified (i.e. must be displayed in an area visible to all who enter premise).
4) Section 17-3, New permit application information required clarified (i.e. list/log of all to be employed at establishment and updates to log). Requires more information on entities applying for a permit.
5) Section 17-7, Required logs clarified information to be included on employee and customer logs (i.e. legal name, State of Arizona massage license number, legal name of masseuse, full name of client, etc.).
6) Section 17-9, Change in business name clarified to require notification of changes made to the business or doing business as (dba) name.
7) Section 17-13, Denial of application, termination of permit; grounds; hearing; appeal changes include ability to appeal once instead of twice, added a time frame (30 business days from the receipt of request) that the hearing should take place and the decision of the Hearing Officer shall be final.

The proposed changes included in this amendment will allow reputable massage establishments to continue to operate as they always have in the City of Chandler, with the intent of minimizing the type of behavior meant to be curtailed by Chapter 17 of the Chandler City Code.

Following Council's approval, notification of the changes will be sent to all massage establishment permit holders and will include information on a class that will be available as a refresher as well as provide assistance in understanding the requirements and responsibilities of a massage establishment permit.

4. REZONING / PRELIMINARY DEVELOPMENT PLAN / PRELIMINARY PLAT: Maplewood Court II Ord. #4516

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4516, DVR13-0004 Maplewood Court II, rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential. (Applicant: Mario Mangiamele; Iplan Consulting.)
APPROVED a Preliminary Development Plan (PDP) for housing product and subdivision layout.
APPROVED Preliminary Plat PPT13-0002, of a 14-lot single-family residential subdivision located at the SWC of Willis Road and Vine Street.

BACKGROUND
The subject site is located at the southwest corner of Willis Road and Vine Street, east of the southeast corner of Alma School and Willis roads. North is Willis Road with the Alma School Place single-family residential subdivision north of Willis Road. East is Vine Street with single-family homes zoned agricultural east of Vine Street. South is Maplewood Drive with the recently approved Maplewood Court single-family residential subdivision south of Maplewood Drive. West is the Cornerstone Christian Church campus. The General Plan designates the site as Low-Density Residential.

SUBDIVISION LAYOUT
The subject site is approximately 7.5 acres and is designed for 14 residential lots, for a density of 1.85 dwelling units per acre. Typical lot size is 85'x130' with a minimum lot size of 11,047 square feet and a maximum lot size of 12,787 square feet. While the overall size of the subdivision is relatively small, the intent is for Maplewood Court II to act as an extension of the Maplewood Court subdivision to the south. Lot size, landscaping and perimeter wall designs are similar between the two subdivisions to maintain consistency.

Due to all lots being greater than 10,000 square feet, the Residential Development Standards do not apply. Based on the public participation process of the Maplewood Court development, the design team took into consideration the layout of homes and the placement of two-story homes adjacent to Vine Street and is preemptively restricting lots 1, 9 and 11 to single-story; lot 12 will also be single-story.

HOUSING PRODUCT
Similar to Maplewood Court, since all lots are 10,000 sq. ft. or greater, the Residential Development Standards (RDS) for housing product do not apply; however, a number of the elements are incorporated into the design. Due to the second phase only having 14 lots, not all of the same floor plans will be offered. Four of the most popular floor plans are proposed with a second story option on plan 6011, essentially creating five floor plans. Square footage ranges from 3,200 to 5,100 sq. ft. Three single-story homes and one two-story home are provided, with an option for a second story on plan 6011.

Three architectural styles will be provided for each home and include Spanish, Ranch, Tuscan/Mediterranean, Craftsman styles; not all elevation types are provided for each home. Various architectural elements highlighting the prescribed style include window pop-outs, garage and front door detailing, window muntins, shutters, stone detailing, wing walls and siding elements. The RDS require that at least one elevation provide stone elements; the home builder is providing stone on three of the four elevations: Ranch, Tuscan/Mediterranean and Craftsman. Additionally, to address architectural style, various elements complementing the architecture are included in the design, such as: window muntins, front door treatments, garage doors consistent with the architecture of the home, arched windows, window pop-outs, etc. While it does not accurately convey in the exhibits, window muntins will be provided in all second story widows.

Setbacks for the housing product are consistent with the first phase and are typical of other subdivisions. A minor difference between the phases is the proposed lot coverage. With the first phase, the minimum lot size was 12,430 sq. ft., whereas the proposed minimum is 11,047. Lot coverage for the first phase is 40% whereas for the second, lot coverage for two-story homes is proposed at 45% and single-story homes at 50%. Incorporating all options (four or five car garages) puts the lot coverage at 49% for the single-story homes. Additionally, with the increased lot coverage and the large lot sizes, it is anticipated that homeowners may want the option for casitas. Casitas will meet all required building setbacks and lot coverage ratios, as well as be architecturally consistent with the design of the home.

DISCUSSION

The Planning Commission and Planning Staff support the request citing that the development represents another quality addition to Chandler's housing stock. Furthermore, the Planning Commission and Planning Staff are pleased with the strong design characteristics of the housing product, the variety of elevations, the larger lot sizes provided, and that the proposal successfully develops a parcel that, under different circumstances, would have difficulty being developed.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Two neighborhood meeting were held with the first being held on March 27, 2013, with four neighbors in attendance, and the second on July 23, 2013, with five residents in attendance.

Concerns expressed included the housing product construction timing and improvements to Vine Street which have been resolved. The main concern expressed relates to the improvements required for Vine Street, specifically being half-street improvements and the undergrounding of the irrigation ditch and utility lines. Residents along Vine Street desire that all of Vine Street be improved. Code requires that as development occurs, streets adjacent to a development get improved to provide their half-street requirements. In instances where half-street improvements do not provide a width suitable for two-way traffic, the improvements need to provide a minimum 24-foot drivable surface. Vine Street is currently a private drive with a shared access easement for the three property owners along Vine Street. Due to the developer being unable to secure an agreement for the easement, the developer will be shifting the Vine Street alignment to have their half-street improvements on their property rather than over the easement. As part of the improvements, the irrigation ditch along with any utilities within the proposed half-street will be relocated underground.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron absent.

Two neighbors attended the Planning Commission hearing; both live on the east side of Vine Street adjacent to the subject site. One neighbor spoke in opposition citing that he preferred the agricultural zoning that the site currently has. The second neighbor meant to speak, but there was some confusion regarding submitting the speaker card. Following the Planning Commission hearing, Planning Staff, Development Services Staff, the development team and three neighbors on the east side of Vine Street met to discuss outstanding concerns that the neighbors had regarding improvements to Vine Street. The neighbors desired that the developer fully improve Vine Street due to dust issues and remove power lines on the neighbor's private property. While City codes do not require full street improvements, the developer agreed to extend asphalt from improvements to the driveway of the neighbor with the dust concerns in an effort to alleviate some of the dust.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "MAPLEWOOD COURT II", kept on file in the City of Chandler Transportation & Development Services Department Planning Division, in File No. DVR13-0004, except as modified by condition herein.
2. No more than two identical side-by-side roof slopes should be constructed along arterial or collector streets or public open space.
3. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.
4. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

Preliminary Plat

The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

5. REZONING: Belmont Estates – North 17' Strip Ord. #4521

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4521, DVR13-0046 Belmont Estates – North 17' Strip, rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential as part of the Belmont Estates single-family residential subdivision located north of the NWC of Gilbert Road and Sunrise Place. (Applicant: Mari Flynn; Ashton Woods Homes.)

BACKGROUND

The subject strip of land is located at the northeast portion of the subdivision and stretches across eight lots. The Rezoning and Preliminary Development Plan for the subdivision was approved by Council in late 2012. Following the approval, Planning Staff was contacted by the County with concerns that the annexation of the subdivision omitted the 17-foot strip. The oversight of the 17-foot strip was caused when the legal description of the condominium development north of the strip was annexed and mapped, which created an overlap of 17 feet. Following the County's recommendation, the 17-foot strip was annexed and was given an initial City zoning designation of AG-1. The request is to rezone the strip of land from AG-1 to PAD for the subdivision.

AIRPORT COMMISSION

Due to the subdivision being previously reviewed by the Airport Commission, and the request being more of a housekeeping item, the 17-foot strip rezone did not go before the Airport Commission.

PUBLIC/NEIGHBORHOOD NOTIFICATION
Similarly with the Airport Commission, since the item is minor in nature, a neighborhood meeting was not held. Notification of the request was mailed in accordance with Code requirements. Additionally, the site was posted with public hearing signs.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the condition listed in the ordinance.

6. REZONING / PRELIMINARY DEVELOPMENT PLAN / PRELIMINARY PLAT: Ocotillo Landing Ord. #4522

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4522, DVR13-0028 Ocotillo Landing, rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential. (Applicant: Ed Bull; Burch & Cracchiolo and Mario Mangiamele; Iplan Consulting.)
APPROVED a Preliminary Development Plan (PDP) for housing product and subdivision layout for a 62-lot single-family residential subdivision on approximately 19 acres.
APPROVED Preliminary Plat PPT13-0017 for a 62-lot single-family residential subdivision located south of the SWC of McQueen and Ocotillo roads at the Brooks Farm Road alignment.

BACKGROUND
The subject site is located south of the southwest corner of McQueen and Ocotillo roads at the Brooks Farm Road alignment. Single-family residential subdivisions surround the site, with McQueen Road abutting the eastern portion of the site. North of the subject site is the Country Lane Estates custom subdivision; south is the McQueen Lakes residential subdivision and west is the Kerby Estates residential subdivision.

The subject site is an assemblage of five parcels and is the last remaining area of vacant land within the Kerby Estates Area Plan. Both the Kerby Estates Area Plan and Southeast Chandler Area Plan (SECAP) designate the site as supporting low-density residential. Various developers have tried to acquire the properties over the years; however, with no success.

SUBDIVISION LAYOUT
The gated subdivision is rectangular in design and provides a single access point off of McQueen Road. The entrance T's off and provides cul-de-sacs along the northern third and southern third of the subdivision. The layout and design of the subdivision is similar to the Estates at McQueen custom single-family residential subdivision 300-feet north of the subject site. An emergency access gate is provided off of Crossbow Way (west end of the subdivision) to allow access to both of the cul-de-sacs. Flanking the entryway are large landscaped areas. Active outdoor amenity areas are provided at the terminus of the entrance and at the western end of the subdivision. Amenities provided in the areas include a ramada, covered tot lot and amphitheater. Additionally, a trail connecting McQueen Road to Crossbow Way is provided along the site's northern boundary.

The subject site is located within the SECAP and is designated as *Traditional Suburban Character* allowing for a density of up to 2.5 dwelling units per acre, with provisions to allow for up to 3.5 dwelling units per acre if certain amenities are provided; 3.26 dwelling units per acre is proposed. The number of amenities required has been provided to achieve the additional

density. In addition to requirements of the SECAP, residential developments are required to provide design elements as outlined in the Residential Development Standards (RDS). As has been the case with similarly sized developments, strict adherence to the RDS has been difficult due to the smaller parcel size. In conjunction with this, as development has occurred along McQueen Road in this area, residential subdivisions tend to be rectangular in length, which makes width of a development difficult to incorporate curvilinear streets that larger developments would be able to integrate. In spite of this, the development provides a number of the components outlined in the RDS, effectively providing distinctive design elements such as the pedestrian trail that runs the length of the development connecting pedestrians along McQueen Road to Crossbow Park.

Excluding the custom subdivision north of the site, lot sizes are consistent with the surrounding residential developments. Lot sizes range from 60'x130' (7,800 sq. ft.) up to 60'x145' (8,700 sq. ft.), with a minimum lot size of 7,500 sq. ft. and a maximum lot size of 13,432 sq. ft. The deeper lots are located along the northern perimeter to provide a greater buffer from the neighborhood to the north, as requested by the neighboring subdivision.

HOUSING PRODUCT

Seven floor plans are proposed providing four two-story homes and three single-story homes. Home sizes range from 2,200 up to 3,900 square feet. Spanish, Italianate, Ranch Hacienda and Cottage French Country elevation styles are provided. All plans will offer the Spanish and Cottage French Country elevations, with the Italianate elevation being provided for plans 4504, 4505, 4506 and the 4507, and Ranch Hacienda being provided for plans 4501, 4502 and 4503. Similarly with subdivision layout, architectural designs of the homes need to meet the requirements of the RDS. Planning Staff has worked with the development team to ensure the development provides the necessary RDS for architectural diversity, with the exception that Planning Staff believes that additional architectural elements can be incorporated on the side and rear elevations as appropriate per architectural elevation style. Additional elements may include arched windows, shutter details, decorative iron work, etc. To address this, Planning Staff has added Condition No. 8 in the Preliminary Development Plan portion of the *Recommended Actions*.

DISCUSSION

The development team has met with neighbors on a number of occasions to address various concerns. Two items were predominant in the discussions and relate to vehicular access from Crossbow Way (park site west of development) to McQueen Road and the buffering along the north and south property boundaries.

In late 2000, the Kerby Estate subdivision (west of the subject site and east of the canal) was submitted for formal review and approval. Since the site was the first development within the square mile, the development was required to provide an area plan. During the area plan process, it was determined that a collector street should be provided connecting Crossbow Park to McQueen Road. It was believed that as development occurred along McQueen Road, that larger single-family subdivisions would be designed and developed that could easily accommodate the collector street. As development occurred following the Kerby Estates subdivision and area plan, subdivisions were not able to accommodate the additional area that is the current subject site. As development occurred over the years, the vacant land along McQueen Road decreased making the including of a collector street connecting the park to McQueen Road more difficult.

Once the subject site was submitted for review, Planning Staff requested that a traffic impact study be provided to determine if a collector street was still warranted. A traffic study was conducted and submitted for staff review, at which point it was determined that a collector street connection was not warranted, but that as part of the intent of the collector street, a pedestrian connection would be provided linking McQueen Road with the park site. Due to this, Planning Staff required that the development provide a pedestrian connection in lieu of the collector street. The pedestrian connection is provided along the northern boundary.

The second major concern expressed by neighbors was the difference in lot size and buffering between the subject site and the subdivision to the north (Country Lane Estes). Residents of the subdivision had concerns with the lot sizes, two-story homes adjacent to their homes, and the lack of a buffer between the subdivisions. Based on the concerns, the development team ultimately incorporated the buffer along the north and in addition provided a deeper lot along the north (145'), and has agreed to limit the homes to all single-story. In addition, the lots along the southern boundary will match property lines consistent with the McQueen Lakes subdivision, and will match single-story homes for single-story homes along the southern boundary.

The Planning Commission and Planning Staff support the request citing that the development team has presented a design that complements the area and provides additional quality housing options at a location that has historically been difficult to assemble and present as a unified development.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Three neighborhood meetings were held. The first meeting was held prior to the application being submitted and included only the neighbors north of the subject site. The second meeting was held March 18, 2013, with 17 neighbors in attendance. The third meeting was held on June 25, 2013, with 11 neighbors in attendance.

At the time of this writing, Planning Staff has received a couple of phone calls relating to the request. The calls primarily were a follow-up to the concerns expressed at the neighborhood meeting. Planning Staff is unaware of any direct opposition.

Based on input from the neighbors during the neighborhood meeting process, the development team provided the trail along the northern boundary, provided deeper lots (145' versus 130' and 140') along the northern boundary, aligned lot lines to match the lots along the southern boundary, restricted lots 1-19 to single-story and has agreed to restrict single-story homes to be adjacent to single-story homes along the southern boundary.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, SECAP and the Kerby Estates Area Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "OCOTILLO LANDING", kept on file in the City of Chandler Planning Division, in File No. DVR13-0028, except as modified by condition herein.
2. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.
3. For lots adjacent to an arterial street, two-story homes are limited to every third lot, with no more than two, two-story homes built side-by-side.
4. Two-story homes shall be prohibited on lots 1-19.
5. For lots 21-38, lots shall be restricted to single-story homes when adjacent to single-story homes located within the McQueen Lakes subdivision.
6. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
7. The side yard setbacks shall be a minimum of 5 feet and 10 feet; for those lots adjacent to McQueen Road, side setbacks shall be 10 feet.
8. The applicant shall work with Planning Staff to incorporate additional architectural elements to the side and rear elevations of the homes.

Preliminary Plat
The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

7. ZONING EXTENSION: Chandler Creek LP

APPROVED a three-year zoning extension on the existing PAD zoning allowing industrial uses on property located at the NEC of Queen Creek Road and the Union Pacific Railroad tracks just east of Arizona Avenue. (Applicant: Marcos Ergas.)

EXTENSION OF THE TIMING CONDITION
The application requests a time extension for approximately 10 acres located at the northeast corner of Queen Creek Road and the Union Pacific Railroad. The subject site received PAD zoning approval in January 2007 for a two-phase light industrial building approximately 170,000 square feet. The PAD zoning was conditioned to start construction above foundation walls within three (3) years of the ordinance effective date requiring construction to have started in January 2010. An extension was granted in March of 2010 for an additional three years. The current application requests a second three-year time extension. The proposed three-year time extension would be in effect, pending City Council approval, until January 2016 as the time limit is calculated from the original zoning approval's expiration.

BACKGROUND
The site is currently vacant and used for agricultural purposes. South, across Queen Creek Road, is vacant land zoned PAD for an industrial park. The Union Pacific Railroad is immediately west of the site, with the Archstone residential development west of the railroad. East is a church located within the jurisdiction of Maricopa County.

The Airpark Area Plan designates this parcel as Industrial, which accommodates a variety of manufacturing, distribution, warehousing, wholesaling and utility uses. Surrounding parcels east of the railroad tracks are also designated Industrial, while nearby parcels west of the railroad tracks are designated Commercial/Office/Business Park. The proposed development is consistent with the Airpark Area Plan.

No changes have been made to the development plans that were approved by Council in 2007. The development's approved Preliminary Development Plan (PDP) calls for a two-phase industrial building with 125,000 square feet in Phase I and a Phase II addition of 45,000 square feet.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code. In lieu of a neighborhood meeting, the applicant sent a letter and site plan to neighboring property owners to inform them of the request and remind them of the site layout approved by the PDP that accompanied the zoning. Staff is not aware of any opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval with all of the conditions in the original approval remaining in effect.

8. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Citizen's Panel for Review of Police Complaints and Use of Force
James Dixon

Domestic Violence Commission
Audrey Maestats (representing the Boys and Girls Club)

Housing and Human Services Commission
William Wallace

Library Board
Maria Munoz

9. CLAIMS REPORT

APPROVED THE Claims Report for the quarter ended December 31, 2013.

10. SETTLEMENT: The Ocotillo Community Association Only

APPROVED a settlement with *The Ocotillo Community Association Only* in *City of Chandler v. SWVP Ocotillo Land, LLC, et al., CV2013-010481*, in the amount of $35,000.00.

BACKGROUND/DISCUSSION

This condemnation action was filed to acquire approximately thirty-seven (37) acres of vacant land located adjacent to the southwest corner of Price and Queen Creek roads, for the expansion of the existing Ocotillo Water Reclamation Facility. A settlement was reached with the property owner for $8,400,000.00. The City held back $15,000.00 as an estimate of the assessments the land owner would have paid over time to the Ocotillo Community Association (OCA). The OCA received an annual assessment of $9,000.00 from the landowner. This amount was subject to increase based upon future land improvements. As part of the settlement with the landowner, it was agreed the City would negotiate a settlement with the OCA for these assessments. Negotiations have been completed with the OCA, and a settlement has been reached in the amount of $35,000.00. Based upon this settlement, the City will contribute an additional $20,000.00 to the $15,000.00 previously held back from the property owner. This amount is final and no future assessments to the OCA from the City shall be due for this property. This is a settlement with the OCA only and will allow the Court to enter a final order.

FINANCIAL IMPLICATIONS
Funding for this settlement comes from the $15,000.00 held back from the property owner and the savings of $8,500,000.00 from the Collection System Facility Improvements project that were transferred to this new project, Wastewater Land Acquisition, to fund the purchase. The transfer included $5,780,000.00 in System Development Fee appropriation and $2,720,000.00 in Wastewater Bond appropriation for this land acquisition and other associated costs.

11. EMPLOYMENT AGREEMENT: City Attorney

APPROVED an employment agreement with Kay Bigelow as City Attorney at a salary of $165,649.00. The term of this agreement is January 24, 2014 through June 30, 2015.

12. AGREEMENT AMENDMENT: ESRI

APPROVED Agreement Amendment No. 8 with ESRI for citywide GIS software, extending Enterprise License Agreement No. 2008ELA6895, in an amount not to exceed $119,680.00.

The City's GIS system is based on ESRI GIS products. Several years ago, the City expanded its use of these products in current and planned City applications. This expansion of GIS services resulted in a need for additional product licenses. Rather than continue to purchase licenses and maintenance for each application, the City consolidated all GIS software needs citywide into an Enterprise License Agreement (ELA). Through this agreement, the City has incurred a lower cost-per unit for licensed software. A City GIS Advisory Team recommended this purchase and the Information Technology Oversight Committee approved the recommendation in 2009. The ELA includes instructor-led and on-line training GIS classes for City staff. The ELA allows City departments to deploy software products from the GIS system as needed to support its growth. The GIS Advisor Committee considers each request for additional software installations to determine validity and also monitors software installed to not adversely affect future costs of the ELA.

13. AGREEMENT AMENDMENT: Lacor/Streetscape

APPROVED Agreement No. TEO-155-2766, Amendment No. 2, with Lacor/Streetscape, for the purchase of bus shelters and bus shelter furniture for a two-year period, in an amount not exceed $350,972.00. This is the second and final contract extension.

In December 2009, Lacor/Streetscape was awarded a contract for the purchase of bus shelters and related furniture to upgrade the quality of shelter amenities used by the public. Lacor/Streetscape offered an outstanding price for their bus shelter furniture and have agreed to keep their costs the same as they were under the initial contract. They will also be providing additional shelter types not offered under the original contract or first extension.

Under this proposed contract extension, the City would purchase 18 larger shelters with better shading and more seating than provided by the typical bus shelter in Chandler. These larger shelters would be installed at some of Chandler's heavily used bus stops. Existing shelters at these locations would be relocated to bus stops with older bus shelter furniture or at bus stops that currently lack bus shelters. Additionally, this contract extension will allow the City to purchase additional benches and bike racks for bus stops. This request is for an amount up to $350,972.00 and does not guarantee the contractor the full contract amount. The City will only spend as much as needed.

14. AGREEMENT: Goldstein & Luera Construction, LLC

APPROVED Agreement No. ST4-988-3336 with Goldstein & Luera Construction, LLC, for Cooper Road Median Upgrades in the amount of $155,715.21.

15. AGREEMENT AMENDMENT: Ammunition

APPROVED Agreement No. PD0-680-2807, Amendment No. 4, with Adamson Police Products, San Diego Police Equipment Co., Inc., International Cartridge Corporation, and Lawmen's & Shooters' Supply, Inc., for the purchase of ammunition in a combined total amount not to exceed $162,357.00. This is the fourth and final one-year extension.

16. AGREEMENT AMENDMENT: Asphalt and Concrete Repair

APPROVED Agreement No. BF3-745-3115, Amendment No. 1, with Regional Pavement Maintenance of Arizona, Inc., and W. L. Emshoff for asphalt and concrete repair and maintenance – facilities in an amount not to exceed $75,000.00. This will be the first of two additional one-year extensions.

17. PROJECT AGREEMENT: Taylor Rymar Corporation

APPROVED Project Agreement No. F1406-101 with Taylor Rymar Corporation for the Main Police Department retro-commissioning services, pursuant to Annual Mechanical, Electrical and Plumbing Services Contract No. EN1401-101, in an amount not to exceed $48,000.00. As Arizona Public Service does provide rebates for retro-commissioning to existing buildings, initial estimates from the engineer have determined that the City may be entitled to a $15,000.00 - $20,000.00 rebate for this project.

18. PROJECT AGREEMENT: Southwest Ground-water Consultants, Inc.

APPROVED Project Agreement No. WW1408-101 with Southwest Ground-water Consultants, Inc., for reverse osmosis recharge facility project modification permit updates, pursuant to Annual Contract No. EN1203-101 in an amount not to exceed $46,180.00.

In 1980, the Arizona State Legislature passed the Groundwater Management Act (GMA) to reverse the trend of declining groundwater levels. The GMA regulates the use of groundwater to maintain a balance between groundwater withdrawn and recharged.

The City of Chandler and Intel have partnered to build, operate and maintain the Ocotillo Brine Reduction Facility (OBRF), formerly known as the Reverse Osmosis Facility, located on Old Price Road. The OBRF treats industrial process water to drinking water standards. The City then delivers this water to a recharge facility located at the southwest corner of Gilbert and Ocotillo roads. The water is recharged into the ground to assist with GMA compliance.

Intel funds operation and maintenance of the sites. The City is responsible for maintaining the recharge and storage permits.

The project scope provides an analysis and summary of historical groundwater recharge and water level data to update the hydrogeological report. This information is required so that an application can be submitted to the Arizona Department of Water Resources for approval to increase permitted recharge capacity and extend the duration of the permits an additional 20 years.

19. CONTRACT: Durkin Architects, LLC

APPROVED Contract No. LI1301-201 with Durkin Architects, LLC, for design consultant services for Copper Room Renovations on the second floor of the Downtown Library, in an amount not to exceed $48,386.00.

This contract is for renovation of approximately 5,100 sq. ft. of the Chandler Downtown Library second floor Copper Room and adjacent rooms. The library is located at 22 S. Delaware Street and was constructed in 1996. The Copper Room and adjacent studio, video and storage rooms were used as Council chambers until 2011 when new chambers were constructed as part of City Hall. Renovations are needed to provide better functionality and flexibility as meeting, presentation, and programming spaces. Once renovations are completed, the Copper Room will provide enhanced meeting and programming space for City departments and private rentals.

Through this design, Durkin Architects plans to develop four to five meeting spaces with state of the art presentation equipment that can be used simultaneously for library and cultural programs, City staff programs and meetings, public presentations by local businesses and educational organizations. Staff currently charges for meeting spaces so the new space will become both a community gathering place and a revenue generator.

20. PURCHASE: US Bank/Voyager Fleet Card Services

APPROVED the purchase of fleet fuel cards from US Bank/Voyager Fleet Card Services, utilizing the State of Arizona contract, in the amount of $250,000.00.

The primary use of the Voyager Fleet Fuel Card is to fuel Police Department motorcycles, Police Detective and Motor Pool vehicles. Police motorcycles require premium grade fuel, which is not provided by other contracted vendors. The Voyager Card allows City motorcycles to be fueled at most retail fuel vendors who accept credit cards. Police Detective and Motor Pool vehicle operators utilize the Voyager Card Program as these vehicle operators frequently require fueling outside of the City of Chandler City limits. Voyager forwards a consolidated monthly invoice, which identifies the City staff that authorized the respective fuel purchase along with the purchase

date, time location, gallons and purchase amount. Voyager Fuel Cards are fully integrated within the City's fleet fuel management software and financial reporting system. The primary advantage of the Voyager Fleet Fuel Card is that the respective purchase amounts are forwarded, net of the Federal Excise Tax from which the City is exempt, thereby eliminating the requirement to file a quarterly tax return to recover Federal Excise Tax paid at a retail fuel vendor.

21. PURCHASE: Manpower Group US

APPROVED the purchase of Information Technology temporary staffing services from Manpower Group US, utilizing National Joint Powers Alliance (NJPA) Contract No. 021610-MPI, in an amount not to exceed $90,000.00.

Information Technology has historically hired temporary employees to assist in special projects or to backfill vacant positions by utilizing competitively bid temporary staffing agreements. These temporary employees have specialized skills in specific technical areas which complement Information Technology Staff and work on a temporary basis for a specific assignment. In particular, the resource that will be utilized has previously worked for the City of Chandler on a project basis doing similar work requiring minimal training with existing City systems. This resource will assist with maintaining day-to-day operations of the City's financial and human resources systems while full-time IT Staff are devoted to assisting with implementation of the Portal for Electronic Payment Processing Integration (PEPPI) Project.

22. PURCHASE: EMC Corporation

APPROVED the purchase of network storage annual support from EMC Corporation, utilizing AZ State/Western States Contracting Alliance (WSCA) Contract No. ADSPO10-00000049/B27161. In an amount not to exceed $196,319.00.

The City of Chandler Storage Area Network (SAN) and Network Attached Storage (NAS) require support for the hardware and software. These systems store production databases and other City data that is accessed on a daily basis by users and citizens. Renewing the maintenance support allows the vendor to continue to replace parts and make repairs on the hardware. The maintenance also allows the City to obtain software updates to the system. The SAN/NAS need support in case a hardware failure occurs or the software needs to be updated for performance. As the manufacturer of the hardware and software, EMC is the direct provider of support for these systems and the SWCA contract with EMC provides the best value to the City.

23. PURCHASE: SHI International Corporation

APPROVED the purchase of CommVault software annual support/maintenance from SHI International Corporation, utilizing the Western States Contracting Alliance (WSCA) Contract No. ADSPO11-007500, in an amount not to exceed $52,511.00.

The CommVault application is the system that manages the City's backup environment for various data repositories that are housed on City servers. This application is vital to City backup and recovery operations and must be kept fully maintained and supported. The maintenance and support provides technical assistance, software fixes and application upgrades necessary to keep the system operational and current.

24. PURCHASE: Nippon Electric Corporation (NEC)

APPROVED the purchase of annual Secure Maintenance of citywide Cisco network equipment from Nippon Electric Corporation (NEC), utilizing the City of Tempe Contract No. IT11-048-01, in an amount not to exceed $81,581.00.

25. USE PERMIT: Walmart Store

APPROVED Use Permit LUP13-0018 Walmart Store, Series 9 Liquor License, to allow the sale of all spirituous liquor as permitted for off-premise consumption located at 3460 W. Chandler Boulevard, NWC of Metro and Chandler boulevards. (Applicant: Sean Lake, Pew & Lake PLC.)

BACKGROUND
The proposed Walmart Store will be locating in the space formerly occupied by The Great Indoors at 3460 W. Chandler Boulevard in the Chandler Gateway shopping center, west of Price Freeway (Loop 101). Businesses within the shopping center include: Hobby Lobby, Olive Garden, Red Robin, Abuelo's Mexican, Bank of America and Stone Creek Furniture. Pepperwood and Sunset Cove single-family residential subdivisions are north and west of the subject site. The Kyrene Del Sureno Elementary School is further north of the shopping center.

The request is for Liquor Use Permit approval to allow the sale of all spirituous liquor as permitted under a Series 9 Liquor Store License for off-premise consumption. The liquor will be sold off the shelf at room temperature and from refrigerated coolers. The locations of the liquor storage are depicted in the floor plan.

Walmart's proposed hours of operation are 24 hours a day, seven days a week. Liquor will be sold only during lawful selling hours. The business is anticipated to employ 300 to 350 full and part-time employees. The floor area is approximately 133,200 square feet of the northwest building in the shopping center.

DISCUSSION
Planning Staff supports the request finding that the sale of alcohol as a retail commodity ancillary or incidental to the sale of other retail products occurring in a commercially zoned area does not establish a land use conflict. The sale of alcohol from a land use compatibility analysis is a typical retail transaction in commercial districts throughout the City.

Planning Staff recommends approval with no time limit condition to maintain consistency with other Series 9 Liquor Use Permits approved for other similar type retailers given the establishments had no outstanding concerns, opposition, or violations.

PUBLIC/NEIGHBORHOOD ACTION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on November 13, 2013. There were 3 residents in attendance who expressed concerns with delivery and idling trucks, truck access and crime. No one stated opposition. The Police Department has been informed of the application and has no issues or concerns.

Planning Staff received two phone calls voicing concerns about the Walmart store's location in relation to their neighborhood and not in reference to the subject request.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and Planned Area Development (PAD) zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit granted is for a Series 9 license only and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

26. LIQUOR LICENSE: Wal-Mart Supercenter #6480

APPROVED a Series 9 Liquor Store Liquor License (Chandler #150822 L9) for Clare Hollie Abel, Agent, Wal-Mart Stores, Inc., dba Wal-Mart Supercenter #6480, 3460 W. Chandler Boulevard. A recommendation for approval of State Liquor License #09070500 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

27. LIQUOR LICENSE: Arizona Carniceria

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #151072 L10) for Veno E. Kassab, Agent, Arizona Carniceria LLC, dba Arizona Carniceria, 731 S. Arizona Avenue, Suite 100. A recommendation or approval of State Liquor License #10076478 will be forwarded to the State Department of Liquor Licenses and Control. This application reflects a change in ownership. Transportation and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as Mamma Mia Panderia & Market. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

28. LIQUOR LICENSE: Carniceria El Herradero

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #150806 L10) for Amanda Adams, Agent, Carniceria El Herradero LLC, dba Carniceria El Herradero, 101 W. Frye Road. A recommendation for approval of State Liquor License #10076458 will be forwarded to the State Department of Liquor Licenses and Control. This application reflects a change in ownership. Transportation and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as Del Sol Mercado. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

29. LIQUOR LICENSE: Charm Thai Cuisine

APPROVED a Series 12 Restaurant Liquor License (Chandler #151003 L12) for Nongluck Chakkaw, Agent, Talordpai LLC, dba Charm Thai Cuisine, 11 W. Boston Street, Suite 5. A recommendation for approval of State Liquor License #12079728 will be forwarded to the State Department of Liquor Licenses and Control. This application reflects a change in ownership.

Transportation and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as Latitude Eight Thai Grill. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

30. LIQUOR LICENSE: Masa Sushi

APPROVED a Series 12 Restaurant Liquor License (Chandler #150831 L12) for Sujin Park, Agent, P & L International Inc., dba Masa Sushi, 941 W. Elliot Road, Suite 13. A recommendation for approval of State Liquor License #12079730 will be forwarded to the State Department of Liquor Licenses and Control. This application reflects a change in ownership. Transportation and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as Barrio of Manilla Restaurant. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

31. LIQUOR LICENSE: Duke's Grille

APPROVED a Series 12 Restaurant Liquor License (Chandler #150984 L12) for Lauren Kay Merrett, Agent, Svheldt LLC, dba Duke's Grille, 980 E. Pecos Road, Suite 5. A recommendation for approval of State Liquor License #12079733 will be forwarded to the State Department of Liquor Licenses and Control. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as McDuffy's Grill. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

32. SPECIAL EVENT LIQUOR LICENSE: American Service Animal Society

APPROVED A Special Event Liquor License for the American Service Animal Society (A.S.A.S.) Dogs 4 Vets for the 11th Annual Chandler Classic Car & Hot Rod Show, February 22, 2014, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

33. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Chamber Mixer for the Ostrich Festival Kick-Off, March 6, 2014, at Thorobred Chevrolet, 2121 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

34. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Ostrich Festival, March 7, 8 & 9, 2014, at Tumbleweed Park, 2220 S. McQueen Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

35. SPECIAL EVENT LIQUOR LICENSE: Maricopa County Firefighters Pipes & Drum Corps

APPROVED a Special Event Liquor License for the Maricopa County Firefighters Pipes & Drum Corps., dba AZ Fire Service Pipe Band, for the 6th Annual St. Patrick's Day Festival, March 15, 2014, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

36. SAMPLING PRIVILEGES LIQUOR LICENSE: Fry's Food and Drug #69

APPROVED the addition of sampling privileges to the existing Series 9 Liquor Store Liquor License (Chandler #42166 L9) for Robert Joseph Nelson, Agent, Fry's Food and Drug #69, 2010 S. Alma School Road. A recommendation for approval of adding sampling privileges to State Liquor License #09070484s will be forwarded to the State Department of Liquor Licenses and Control.

Fry's Food and Drug #69 has been in business at this location since January 10, 2002, at which time Council approved a Series 9 Liquor Store Liquor License. The applicant has submitted an application to add sampling privileges to their license. The Arizona State Legislature amended A.R.S. § 4-206.01(J), effective July 29, 2010, allowing an applicant or licensee of a liquor store license or a beer and wine store license to apply for sampling privileges. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

37. SAMPLING PRIVILEGES LIQUOR LICENSE: Fry's Food and Drug #51

APPROVED the addition of sampling privileges to the existing Series 9 Liquor Store Liquor License (Chandler #34823 L9) for Robert Joseph Nelson, Agent, Fry's Food and Drug #51, 1950 W. Ray Road. A recommendation for approval of adding sampling privileges to State Liquor License #09070717s will be forwarded to the State Department of Liquor Licenses and Control.

Fry's Food and Drug #51 has been in business at this location since November 4, 1999, at which time Council approved a Series 9 Liquor Store Liquor License. The applicant has submitted an application to add sampling privileges to their license. The Arizona State Legislature amended A.R.S. § 4-206.01(J), effective July 29, 2010, allowing an applicant or licensee of a liquor store license or a beer and wine store license to apply for sampling privileges. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

38. SAMPLING PRIVILEGES LIQUOR LICENSE: Fry's Marketplace #668

APPROVED the addition of sampling privileges to the existing Series 9 Liquor Store Liquor License (Chandler #44695 L9) for Robert Joseph Nelson, Agent, Fry's Marketplace #668, 985 E. Riggs Road. A recommendation for approval of adding sampling privileges to State Liquor Licenses #09070431s and #09073000s will be forwarded to the State Department of Liquor Licenses and Control.

Fry's Marketplace #668 has been in business at this location since October 24, 2002, at which time Council approved a Series 9 Liquor Store Liquor License. The applicant has submitted an application to add sampling privileges to their license. The Arizona State Legislature amended A.R.S. § 4-206.01(J), effective July 29, 2010, allowing an applicant or licensee of a liquor store license or a beer and wine store license to apply for sampling privileges. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

39. CONTINUED LIQUOR LICENSE: Talebu Coffee and Wine Bar

CONTINUED TO FEBRUARY 13, 2014, a Series 12 Restaurant Liquor License for Todd Macalady, Agent, Talebu LLC, dba Talebu Coffee and Wine Bar, 2095 N. Alma School Road, Suite 2, to allow the applicant time to complete the requirements for a new Use Permit.

40. PRELIMINARY PLAT: Staybridge Suites Hotel

VICE MAYOR HEUMANN VOTED NAY.

APPROVED (6-1) Preliminary Plat PPT13-0005 Staybridge Suites Hotel, for a hotel located at the NEC of Chandler Boulevard and McClintock Drive. (Applicant: Dan Mann; Rick Engineering.)

BACKGROUND
This Preliminary Plat is for a hotel that was approved in early 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION
The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

41. PRELIMINARY PLAT: Circle K Riggs Road & Arizona Avenue

APPROVED Preliminary Plat PPT13-0008 Circle K Riggs Road & Arizona Avenue, for a commercial center that includes a fuel station and a convenience store located at the SEC of Arizona Avenue and Riggs Road. (Applicant: Steven Bowser/Helix Engineering, LLC.)

BACKGROUND
This Preliminary Plat is for a commercial center that includes a fuel station and a convenience store for a site that received zoning approval in February 2013. The plat creates the lot and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6-0 with Commissioner Baron absent.

RECOMMENDED ACTION
The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

42. PRELIMINARY PLAT: Gardens At Ocotillo

APPROVED Preliminary Plat PPT13-0028 Gardens At Ocotillo, for an assisted living care center located at 1500 NW Jacaranda Parkway, SEC of Queen Creek Road and Pennington Drive. (Applicant: Len Swartz; Olsson Associates.)

BACKGROUND
This Preliminary Plat is for an assisted living care center that was approved by Council in late 2012. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION
The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

43. FINAL PLAT: Gardens At Ocotillo

APPROVED Final Plat FPT13-0018 Gardens At Ocotillo, for an assisted living care center located at 1500 NW Jacaranda Parkway, SEC of Queen Creek Road and Pennington Drive. (Applicant: Len Swartz; Olsson Associates.)

BACKGROUND
This Final Plat is for an assisted living care center that was approved by Council in late 2012. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

44. FINAL PLAT: Villa Del Lago

APPROVED Final Plat FPT13-0009 Villa Del Lago, for an 85-lot single-family residential subdivision located at the SEC of Dobson and Ocotillo roads. (Applicant: EPS Group, Inc.) The plat creates the lots, establishes the necessary easements, and dedicates the required rights-of-way.

45. FINAL PLAT: Cantabria

APPROVED Final Plat FPT13-0020 Cantabria, for the Cantabria subdivision located at the NWC of Lindsay and Ocotillo roads. (Applicant: Chris Patton; Rick Engineering.)
BACKGROUND
This Final Plat is for the Cantabria subdivision that was approved by Council in late 2013. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

PUBLIC HEARING

PH1. ANNEXATION – NWC of Riggs and Lindsay Roads

Public Hearing for annexation of approximately 19 acres located west of the NWC of Riggs and Lindsay roads. (Applicant: Lowell G. Peterson, LGP Enterprises, Inc.)

MAYOR TIBSHRAENY opened the public hearing at 7:38 p.m.

MR. DAVID DE LA TORRE, Principal Planner, explained this was a request to annex two parcels totaling 19 acres. One parcel is vacant and the other parcel contains two structures which are used by a business which store farming and construction equipment. The property is zoned RU-43 within the County. The site is bordered by unincorporated rural residential properties to the north, Bela Flor custom home subdivision to the west, recently rezoned property for Jacaranda Place subdivision to the east and Riggs Road on the south. The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian Character. The property owner has submitted a rezoning application to allow the development of a low density single-family subdivision on the subject site. Utilities are available on Riggs Road for the development of the site.

VICE MAYOR HEUMANN asked about the two structures. Mr. De La Torre confirmed those structures would be removed.

MAYOR TIBSHRAENY closed the public hearing at 7:40 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

Mr. Wally DuMelle, 498 N. Arizona Avenue, cited a recent newspaper article regarding surplus military equipment and the requests by Police Departments to seek out these various pieces of equipment. He asked if any of our first responders are seeking this equipment.

Mayor Tibshraeny said he would staff follow-up.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny stated the Multicultural Festival was held the previous weekend and included a Naturalization Ceremony whereby approximately 200 people received citizenship.

He announced the 10th Annual Sports Hall of Fame Induction Ceremony will be held on Saturday February 8th at 11 a.m.

Mayor Tibshraeny welcomed new Police Chief Sean Duggan to the City. The Mayor noted the retirement of Asst. Police Chief Dave Lind.

The Annual State of the City will be held February 6th at 6 p.m. The winners of the first Annual Neighborhood Excellence Awards will be announced at the event.

B. Councilmembers' Announcements

Councilmember Weninger noted WordCamp was recently held and attended by 500-600 participants.

A benefit concert for StarBright Foundation will be held on January 26th.

Councilmember Sellers announced the recent opening of the ASU TechShop. He added the Small Business Alliance held a summit in Chandler and the City received the Patriotic Peak Award for the Operation Welcome Home event. He noted that Councilmember Ellen was the organizer for the Operation Welcome Home event.

Vice Mayor Heumann congratulated Kay Bigelow as the new City Attorney. The Vice Mayor announced the upcoming Sci-Tech Festival events and noted Intel is a sponsor.

Councilmember Donovan expressed her appreciation for the recent Explorer Tactical Competition held in Chandler.

Councilmember Hartke welcomed the additions of Police Chief Duggan and City Attorney Bigelow. He announced the Annual Unity Walk on February 1st and encouraged participation.

Councilmember Ellen welcomed Chief Duggan. She thanked the Small Business Alliance for the Award and expressed her appreciation to all the veterans.

C. City Manager's Announcements

City Manager Rich Dlugas expressed his appreciation to Pat McDermott for his service to the City. He noted Mr. McDermott had served as Acting City Manager on several occasions and his institutional knowledge will be tremendously missed.

Adjournment: The meeting was adjourned at approximately 7:55 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: February 13, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 23rd day of January 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 25 day of February 2014.

City Clerk

MINUTES OF THE SPECIAL BUDGET WORKSHOP MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Monday, February 10, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 5:00 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember
	Trinity Donovan	Councilmember
	Kevin Hartke	Councilmember
	Nora Ellen	Councilmember

Financial Outlook

Management Services Director Dawn Lang reported that development revenues are strong but growth of sustainable revenue remains slow and steady. Potential unknown State Legislative actions keep Chandler cautious.

Citizen Budget Survey Overview

The budget survey was open from December 8, 2013 to January 24, 2014. There were 747 responses. Overall, high scores were received for city operations. 98% rated Overall Performance as Excellent, Very Good, or Satisfactory. Quality of Life was rated 97% as Excellent or Good; and 89% Strongly Agree or Somewhat agree "Great Return on My Tax Dollars". An open forum input from residents was utilized.

Preliminary 5 year Ongoing General Fund Forecast

Ms. Lang reported the General Fund is structurally balanced. Recurring revenues support recurring expenditures and Nonrecurring revenues support non-recurring expenditures. There is a slow, moderate growth of ongoing funds. Managing expenditure growth is vital to maintain existing services. She reported Department Decision Package ongoing requests totaled $4.8 million, and includes 33.5 position requests. It will be important to prioritize known on-going demands first, which include employee benefits, utility costs, and contract increases.

She reviewed the Transaction Privilege Sales Tax Ongoing vs. One-time graph noting fluctuations such as the Intel Expansion in FY 11/12 and FY 13/14.

Also reviewed was the 5-Year Ongoing General Fund Forecast Major Revenues, 5 – year Ongoing General Fund Forecast, and potential uses for the Preliminary Ongoing Surplus.

Assessed Value Update

After four years of decreasing values, Ms. Lang stated the values are starting to grow. She cautioned, Proposition 117, approved by voters in 2012, goes into effect in FY2015-16. This limits valuation appreciation to 5% plus new development and creates a single "limited cash value" for both primary and secondary taxes. She reported assessed values for FY2014-15 for

Chandler were: Single Family Residential +14.6%, Commercial -1.8%, and Vacant Land +53%. Using updated assumptions, the FY14-15 Forecast for the Primary Assessed value is +4.3%. Future years projections are FY15-16 +5.0%, FY16-17 +4.5% and FY17-18 +4.0%.

The forecast for the Secondary Assessed values are: FY14-15 +8.2%, FY15-16 +5.0%, FY16-17% +4.5% and FY17-18 +4.0%.

Preliminary Capital Improvement Plan Update

The 10-year CIP comparison was made from the prior year. Accelerated Projects include: McQueen Road, Queen Creek Road, Cooper Road, Museum, Citrus Vista Park, Layton Lakes Park, Homestead North and Homestead South. Other significant GO Bond Projects were noted: Police Driver Training Facility design/construction in FY 17-18, Fire Training Facility Expansion Phase 2 design/construction in FY17-18, and Southeast Fire Station design/construction in FY19-20.

Repaving Program: Goal to increase total repaving program funding to maintain pavement quality index over the years. Majority of increase from General Fund Loan repayments: Arterial Street Impact Fee loan repayments to the General Fund. Using those General Fund dollars to add $3.8 million to the Street Repaving appropriation.

Continued Use of Infrastructure Maintenance Reserve: The balance at the end of FY2013-14 was $25,950,000. Planned uses include: Street repaving, street improvements, wall repairs, aquatic facilities, neighborhood parks, community parks, and recreation centers.

Reviewed anticipated bond sales

Property Tax Rate Analysis

Recommendations: Primary will remain at $0.3292/$100 assessed valuation. Secondary decrease to $0.8500/$100 assessed valuation (reverses 9 cent increase implemented in FY11/12). Combined rate will be $1.1792 which would be the lowest combined property tax rate since FY1989/90.

Discussed the graph showing the city property tax paid on a median value home. Breakdown of $1 of typical Chandler Property Tax Bill: 21 cents to special districts, 67 center to School District, Maricopa Community College District, and 12 cents to the City of Chandler.
Discussed the Debt Service Projection and the Debt Service Fund Balance Projection graphs.

Preliminary General Fund Balance Projection

Ms. Lang reported that the final additional fund balance for FY2012-13 was approximately $8 million over budget forecast. The funds are being considered for one-time CIP projects, one-time decision package requests, and new and enhanced reserves. New and enhanced reserves could include: Budget Stabilization Reserve, Infrastructure Maintenance Reserve, Public Safety Early Hire Reserve, Strategic Economic Development Opportunities and Downtown Reserves, and Utility and Fuel Reserves.

Adjournment: The meeting was adjourned at approximately 7:00 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: January 8, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting of the City Council of Chandler, Arizona, held on the 10th day of February 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12 day of January 2015.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, February 13, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:08 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Jack Sellers	Councilmember*
	Jeff Weninger	Councilmember

*Councilmember Sellers participated telephonically.
Councilmember Hartke was absent and excused due to a death in his family.

Also in attendance:	Rich Dlugas	City Manager
	Pat McDermott	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Keith Shephard, Alma School Church of Christ

PLEDGE OF ALLEGIANCE: Councilmember Ellen led the Pledge of Allegiance.

CONSENT:

MR. MIKE JOHNSON, 423 N. Valencia, Chandler addressed Item 2 (Ord. 4483). He asked the Council to delay Ordinance No. 4483. He stated that as a business consultant with over 30 years of experience, he had the opportunity to work with an individual that had massage establishment infractions and saw how the process worked. He expressed concerns with obtaining a fair hearing to correct code violations. He cited issues with the city's definition of employee versus an independent contractor and the changes to Section 17-13.3 regarding the absence of a second level appeal.

MS. DAWN LANG, MANAGEMENT SERVICES DIRECTOR reported that typically by the time a revocation of a license comes forward there have been numerous violations. She said throughout the last hearing, they identified flaws in the ordinance and some areas that needed further clarification. Employees or independent contractors of establishments must be registered if they are performing massages and must apply a tax license. In addition, logs and client logs are required. If a few names are missing, that is not necessarily a gross violation. Typically they will find logs are not maintained. The recommendation to remove the second appeal was included in the proposed ordinance. This is consistent with other city processes that only have one appeal. She reported what would happen is an appeal would be prolonged and the establishment would still continue operating during the second appeal process. She stated the changes make the process more efficient and certainly gross violations are determined before revocations of licenses occur.

MOVED BY VICE MAYOR HEUAMNN TO APPROVE THE CONSENT AGENDA WITH THE ADDITIONAL STIPULATION ON ITEM NO. 6. THE MOTION WAS SECONDED BY COUNCILMEMBER DONOVAN.

VICE MAYOR STATED HIS NAY VOTE ON ITEM 15. He thanked staff on Item 5 for working with the neighbor to resolve a traffic issue.

MOTION CARRIED UNANIMOUSLY (6-0) WITH THE EXCEPTIONS NOTED.

1. MINUTES:

APPROVED the following City Council Meeting Minutes:

1a. Special Meeting of January 23, 2014.
1b. Regular Meeting of January 23, 2014.

2. CITY CODE AMENDMENT: Chapter 17 Ord. #4483

ADOPTED Ordinance No. 4483 amending Chandler City Code, Chapter 17, Sections 17-1 through 17-9, 17-12 through 17-14, and 17-16 relating to Massage Establishments

3. REZONING: Maplewood Court II Ord. #4516

ADOPTED Ordinance No. 4516, DVR13-0004 Maplewood Court II, rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential for housing product and subdivision layout of a 14-lot single-family residential subdivision located at the SWC of Willis Road and Vine Street.

4. REZONING: Belmont Estates – North 17' Strip Ord. #4521

ADOPTED Ordinance No. 4521, DVR13-0046 Belmont Estates – North 17' Strip, rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential as part of the Belmont Estates single-family residential subdivision located north of the NWC of Gilbert Road and Sunrise Place.

5. REZONING: Ocotillo Landing Ord. #4522

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4522, DVR13-0028 Ocotillo Landing, rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential housing product and subdivision layout for a 62-lot single-family residential subdivision on approximately 19 acres located south of the SWC of McQueen and Ocotillo roads at the Brooks Farm Road alignment.

6. REZONING / PRELIMINARY DEVELOPMENT PLAN: Centre Point Business Park
Ord. #4524

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4524, rezoning from Planned Area Development (PAD) for light industrial, general/medical/dental office, and self-storage mini-

warehousing to PAD for retail/restaurant, light industrial, general/medical/dental office, and self-storage mini-warehousing. (Applicant: Withey Morris PLC, Mike Withey.)
APPROVED a Preliminary Development Plan (PDP) as amended by adding Condition No. 6 for site layout and building design located east of Arizona Avenue on the north side of Ocotillo Road at the NWC of Ocotillo Road and the Consolidated Paseo Canal.

BACKGROUND
This property is located within the Airpark Area Plan's southwestern boundary along Ocotillo Road and east of Arizona Avenue. East of the site is the Consolidated Paseo Canal and the Paseo Vista Recreation Area park. Properties north and west are zoned for industrial uses. The property immediately west is zoned for a mini-storage and recreational vehicle storage facility. South, across Ocotillo Road, is a parcel zoned for multi-family residential and another zoned for business park uses.

The request is for rezoning from Planned Area Development (PAD) for light industrial, general/medical/dental office and self-storage mini-warehousing to PAD for retail/restaurant, light industrial (I-1 uses), general/medical/dental office and self-storage mini-warehousing with Preliminary Development Plan (PDP) for a business park. The rezoning adds retail/restaurant uses as permitted by right in C-2 to the previously zoned uses. The retail/restaurant uses would occur in Building A only. All parcels are permitted I-1 light industrial uses and office uses are permitted in Buildings B through H.

The PDP includes site and building design components that delineate the various land uses by allocation, size, building arrangement, building elevations and architectural style and details. This is a phased development and the PDP requests conceptual approval for layout and design of buildings. The applicant requests the ability to meet the general intent of the project design but due to market demands and individual users when development occurs, Planning Staff would review each parcel administratively for substantial conformance with the PAD/PDP. The development of each parcel will be required to comply with Zoning Code site development standards.

The proposed use of a business park is consistent with the Airpark Area Plan which identifies the property as being within the Light Industrial designation and further allows the consideration of the Commercial/Office/Business Park land use designation within areas designated as Light Industrial. The Airpark Area Plan allows these two land use designations to be considered as interchangeable on a case-by-case basis.

The original zoning for this development occurred in 2005. Off-site improvements were later constructed including Centre Pointe Parkway, two cul-de-sac streets, sidewalks and paving. The prior development plan included 11 lots, which was modified and platted as 9 lots. Recently, the City acquired land within the subject site adjacent to the canal. The City needed property for the installation and operation of a force main pipeline, which is a pressurized sewer line that connects the Ocotillo Water Reclamation Plant to the Airport Water Reclamation Plant. The new line runs in Ocotillo Road and goes north along the west side of the Consolidated Paseo Canal abutting the planned business park. The City has a 26-foot wide strip along the canal.

Upon entering the business park, the first parcel provides retail and restaurant uses in an approximate 22,860 square foot in-line shops building, Building A. The rest of the development transitions from light industrial and/or office use to only light industrial use buildings, and then self-storage mini-warehouse use. The Centre Pointe Parkway entrance includes a center identification/entry feature sign with low walls, Date Palm trees and planting design that creates a

sense of arrival. The landscape theme throughout the business park is a desert plant palette. While effluent irrigation is available to allow turf, the development does not include turf.

Building architecture is a Southwest color palette mixed with a modern, geometric style. Each building is designed to meet the Commercial Design Standards such as varied rooflines, breaking up wall planes with vertical and horizontal elements, varied materials and colors, and varied building footprints. Building façades are designed with single score, standard CMU block and split face block. Decorative coloring with a combination of steel rooftop canopies, shade awnings, and screen elements accentuate building undulations. All buildings will relate to each other through the common use of materials and colors. Screen walls and parking screen walls are designed to match the materials, colors and patterns of the buildings. Exterior service yards can be incorporated at the rear of buildings and require screening by solid masonry walls. Outdoor storage is permitted only within screened yard areas. Covered parking canopies will be designed to match paint colors and building forms creating a unique canopy design. The development provides required parking totaling 731 parking spaces.

The entry feature sign is a 6-foot high triangular shaped wall with I-beams angled across the top and flanked by a curved low wall with landscape plantings. The center identification lettering is mounted on dimensional aluminum. The logo and lettering are flat cut out aluminum, reverse pan channel with ground mounted lighting. The development includes directional signs with individual tenant names at 6-feet high. While not conveyed and exhibited in the Development Booklet, a parcel may have an individual monument sign for a company name and logo. The lettering and logos will be reverse pan channel. Building mounted signage for tenants will be illuminated reverse pan channel lettering as well. The individual monument signs and building signage shall be in accordance with Sign Code.

DISCUSSION

The business park is designed to accommodate individual users and multi-tenant industrial and office space with support retail and restaurant uses. The layout of the development was pre-established in a prior zoning case. The layout lends itself to individual owned parcels and private yards for certain buildings. Landscaping and architecture bring forth a unified design element for this development. The development enhances this section of the Airpark Area Plan and Ocotillo Road corridor. In regards to the self-storage mini-warehouse component, a zoning condition is maintained from prior zoning approval. A zoning time limit condition is not necessary as the prior zoning vested due to off-site improvements.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 1, 2013. One property owner to the west attended and met with the applicant and architect. The attendee inquired about the project design uses. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan and Airpark Area Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "CENTRE POINT BUSINESS PARK", kept on file in the City of Chandler Planning Division, in File No. DVR13-0025, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestal, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
5. Within the mini-storage development area, the following shall occur:
    a. All outdoor storage and vehicles shall be fully screened and shall not be visible above the walls enclosing the outdoor storage areas.
    b. All hazardous materials shall be prohibited within the self-storage units and on the site.
    c. All repair work or activities not related to self-storage or vehicle parking shall be prohibited.
6. The applicant shall work with Planning Staff to enhance the architectural design of Building A along Ocotillo Road.

7. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Layton Lakes Parcel 17 Ord. #4525

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4525, DVR13-0031 Layton Lakes Parcel 17, rezoning from Planned Area Development (PAD) for commercial uses to PAD Single-Family Residential. (Applicant: Tim Starkey; Coe & Van Loo Consultants, Inc.)
APPROVED a Preliminary Development Plan (PDP) for the subdivision layout and housing product.
APPROVED PRELIMINARY PLAT PPT13-0021 for Parcel 17 of the Layton Lakes Master Plan located at the SWC of Lindsay and Queen Creek roads.

BACKGROUND
The approximate 832-acre Layton Lakes Master Planned development received PAD zoning in March 2001. Of the 832 acres, approximately 373 acres are within the City of Chandler with the majority of Phase 1 occurring in the Town of Gilbert. In December 2003, a PDP was approved for the 21.6-acre Community Recreation Center as part of Phase 1 within the City of Chandler. In February 2004, Council approved a Preliminary Development Plan (PDP) and Preliminary Plat involving the subdivision layout and landscape plans for Phases 2, 3 and 4 of the master planned community. Each of the 7 residential subdivisions, as well as the two commercial parcels within the Chandler portion of Layton Lakes, would be required to process future PDP's for building architecture. In March 2007, Parcel 16 was rezoned to include a 5-acre church parcel, and in April 2011, the housing product and amended lot layout was approved for Parcel 16. Most recently, the Athlos Traditional Academy Charter School purchased 10 acres of the former Parcel 26 for the construction of a charter school. The school was completed in 2011. The subject Parcel 17, one of two parcels within Chandler's jurisdiction planned for commercial C-2 uses, never received PDP approval.

The subject Parcel 17 is bordered to the north by Queen Creek Road, with a future Commercial Town Center within the Town of Gilbert located north of the arterial road. Adjacent to the west is Layton Lakes Boulevard with the Layton Lakes Community Center located west of the collector roadway. To the south is the vacant Parcel 18 planned for medium-density residential as well as the northern end of the residential Parcel 16. Lindsay Road abuts the site's east side with additional Layton Lakes residential parcels east of Lindsay Road within the Town of Gilbert.

The request is for approval of an amendment to the PAD zoning, rezoning the 15.6-acre Parcel 17 designated for Commercial C-2 uses to Single-family Residential, as well as PDP and Preliminary Plat (PPT) approval for the subdivision layout and standard lot size. Parcel 17 is one of three commercial parcels within the 832-acre Layton Lakes Master Plan, two of which are within the City of Chandler. The third commercial parcel is approximately 1 acre in size and located directly north of the subject site within the Town of Gilbert limits. All three commercial parcels remain undeveloped.

The request includes 61 lots for a net density of 3.98 dwelling units per acre. The proposed subdivision provides two points for vehicular access, one along Lindsay Road and the other along Layton Lakes Boulevard, with open space providing a visual terminus at each landscaped median entry. The landscaping is simply a continuation of the established palette and design for the Layton Lakes Master Plan. On average, the lots provide an approximate 50-foot landscape setback from Queen Creek Road with approximately 150 feet along Lindsay Road. Finally, all active landscaped open spaces include pedestrian connectivity within themselves as well as providing access to the extensive lake/open space system within Layton Lakes. The request proposes a standard lot size of 52'x115' (5,980 square feet). The lot setbacks are front yard minimum of 20 feet (10 feet to livable/side loaded garage), side yard minimum of 5 feet and 7 feet, rear yard minimum of 10 feet for a single-story home and 20 feet for a two-story home. Overall, the subdivision layout complies with 7 of the 8 required elements and 10 optional elements as found within the Residential Development Standards.

Additionally, the request includes PDP approval for the housing product. The housing product includes one true single-story plan, a hybrid single-story with loft plan, and three traditional two-story plans. The home's square footages range from 2,105 square-feet to 3,166 square-feet.

Staff considers the hybrid plan to represent a single-story home in terms desired plan diversity, as well as in regards to setbacks. In essence, the request includes two single-story homes and three two-story homes. The housing product is in conformance with the Architectural Diversity Element of the Residential Development Standards (RDS). Covered entries are provided on all plans with stone accent material provided on at least one elevation for each plan. Various two-story plans include extended-width covered entry ways and certain single-story plans include front walled-in courtyards that extend past the face of the garage, as well as stone accent material on certain plan elevations. The housing product provides varied roof ridgelines, decorative windows and wrought iron accents, as well as decorative garage and front doors that provide a high level of quality and distinguish the various elevations from one another. Building massing has been broken up through the use of single-story elements, window pop-outs, extended roof overhangs and varied roof ridgelines. The exhibits within the Development Booklet contain an error as homes with window treatments; mullion and/or muntin patterns found on the front elevations, are not carried around the other sides. Staff has added a condition requiring window treatments, mullion and muntin patterns shall remain consistent on all sides of the homes. This is to ensure the requirement of four-sided architecture found within the RDS is met. Finally, the elevations for the single-story and hybrid plans remain virtually identical. Planning

Staff has added a condition requiring the applicant to work with Planning Staff to provide elevation diversity between the two plans.

DISCUSSION

Staff supports the request to rezone the approximately 15.6-acre site from commercial to single-family. As the area is studied in terms of existing commercial, planned commercial and long-term economic viability, this site is not one that Planning Staff finds maintains a strong long-term viability status. Not only is there a substantial existing commercial (regional and neighborhood) base within close proximity to the subject site, the existing and future anticipated traffic volumes through the Queen Creek and Lindsay roads intersection are marginal at best. Planning Staff, working with Economic Development, finds the inclusion of additional commercial retail uses could simply cannibalize patrons from nearby existing centers.

Planning Staff supports the proposed subdivision layout and housing product finding the request to represent a quality yet diverse addition to the Layton Lakes Master Plan. The proposed lot size remains consistent with various parcels such as Parcel 16. The subdivision layout integrates well with the master plan and is designed to appear as though it was always an intended component. Finally, the housing product simply continues the high level of quality established within the Layton Lakes Master Plan.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on October 24, 2013. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to conditions as listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Layton Lakes Parcel 17" and kept on file in the City of Chandler Planning Division in File No. DVR13-0031, except as modified by condition herein.
2. Compliance with the original stipulations adopted by the City Council as case PDP03-0038 LAYTON LAKES, except as modified by condition herein.
3. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.
4. All homes built on corner lots within the residential subdivision shall be single-story.
5. Window treatments, mullion and/or muntin patterns shall remain consistent on all sides of the homes.
6. For lots backing onto an arterial street, two-story homes are limited to every third lot.
7. The applicant shall work with Planning Staff to provide elevation diversity between Plan 4001 and Plan 4004.

Preliminary Plat
The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

8. SYSTEM DEVELOPMENT FEE LAND USE ASSUMPTIONS Res. #4734

ADOPTED Resolution No. 4734 adopting the System Development Fee Land Use Assumptions and Infrastructure Improvements Plan as published in the City of Chandler System Development Fee Update: 2013-2023 Land Use Assumptions and Infrastructure Plan Final Draft, dated January 2014.

BACKGROUND
In order to continue to collect System Development Fees after August 1, 2014, the City must comply with Arizona Revised Statute §9-463.05 and adopt Land Use Assumptions and an Infrastructure Improvements Plan (IIP). The process of establishing Land Use Assumptions and an IIP was initiated by contracting with a consultant (as required by Arizona State Statutes) to prepare the System Development Fee Update. The Land Use Assumptions section of the report incorporates information provided by City Planners to establish current land use, projected land use in 10 years, and projected land use at build-out. Single-family, multi-family, office, retail and commercial uses of land have been projected to establish the need for growth-related infrastructure. The IIP section is incorporated into the discussion of each fee category (Arterial Streets, Parks, Water, etc.) after a review of the current Capital Improvement Plan and discussions with each department about future requirements.

DISCUSSION
The draft report was posted on the City's web site on November 7, 2013, to provide interested parties with a minimum of 60 days advance notice of the planned public hearing and a link to the report was disseminated through social media. In addition, copies of the report were distributed to stakeholders at different times throughout the review process and a special stakeholder meeting was held to explain the report and the recommendations. Lastly, a public hearing was held on January 9, 2014, to hear any citizens or business representatives who wished to comment or question the results of the report. There were no objections raised about the Land Use Assumptions or IIP.

9. PRELIMINARY DEVELOPMENT PLAN: Germann Storage Solutions

APPROVED Preliminary Development Plan PDP13-0012, Germann Storage Solutions, to amend the site layout and add buildings to the existing self-storage facility located at 700 E. Germann Road, west of McQueen and north of Germann roads. (Applicant: Les Partch, Functional Formation Architecture, PLLC.)

BACKGROUND
The subject site is bordered by undeveloped land to the west, agriculture land to the east, the Chandler City Works Yard to the north and Tumbleweed Park to the south, across Germann Road. The Chandler Airpark Area Plan designates the site for Light Industrial land uses. Germann Storage Solutions is an existing self-storage facility within the Germann Commerce Center.

The subject site received zoning approval in 2001 to PAD for Light Industrial uses, including storage warehouses, as part of the approximately 30-acre Germann Commerce Center. The 2001 approval included Preliminary Development Plan (PDP) approval for Phase One of the self-storage facility. Phase One was constructed on approximately 6 acres. The existing facility includes a decorative masonry wall along the site perimeter, an office with a caretaker unit, customer parking, two storage buildings on the north side of the property and outdoor vehicular storage. Current access is provided from one driveway via Germann Road to a gated entrance/exit.

The request is for PDP approval of Phase 2 of the self-storage facility and encompasses modifications to the existing site layout and improvements to the vacant 3.55 acres of the 9.69 acre site. The site layout is modified by relocating the outdoor vehicle storage to the southwest portion of the site and replacing this area with two self-storage buildings. The proposed improvements discussed below complete the build-out of the self-storage facility.

A new gated driveway at the west end of the site will provide controlled access into the new vehicle storage area from Germann Road. The new vehicle storage area will be screened by an 11'4" high decorative masonry wall to match the existing perimeter walls. The screen wall, facing the Germann Road frontage, will use wall planters at its base and wall plane changes to break up the horizontal length. The wall materials are a combination of smooth and split-faced concrete masonry units stained to match the existing walls.

Two new self-storage buildings totaling 34,250 sq. ft. in area, will be constructed in the area currently used for outdoor vehicle storage. Existing building floor area is 89,873 sq. ft. and will total 124,123 sq. ft. with the additional buildings. The new self-storage buildings will add 214 storage units to the existing 561 storage units in the facility for a total of 775 units. The new buildings will have a combination of air-conditioned and non-conditioned storage units. The building materials, design and color palette are identical to the existing storage buildings utilizing ribbed and smooth metal siding, metal doors and earth tone paint colors.

The existing south building will be modified by removing approximately 33 ft. of the west end of the building to accommodate a new vehicular access from the new vehicle storage area to the self-storage buildings. This new drive will be gated with controlled access.

Landscape will be added along the west and south property lines. Dead, dying or missing landscape will be replaced. The proposed landscape palette includes Sweet Acacia, Sissoo and Date Palms, with shrubs and accents such as Agave, Bottle Brush and Ruellia.

The hours of operation for the office are 8:30 a.m. until 5:30 p.m. Monday through Saturday and 10 a.m. to 4 p.m. on Sunday. The gates are operational seven days a week from 7 a.m. until 7 p.m.

Several waivers are requested and include the following items: The first request is to reduce the 50 ft. front yard setback to 30 ft. along Germann Road. Although no new buildings are proposed along the Germann Road frontage, a new wall for screening the new vehicle storage area will be built within the setback area. The new wall will be 11 ft. 4 ins. in height, depending on grade. The wall is less in mass and height than constructing a new building which is permitted to be 30 ft. in height at the building setback line.

The taller wall screens the recreational vehicles and trailers to be located in the outdoor vehicle storage area. The reduction to 30 ft. wide provides an additional 10 ft. to the landscape area

along Germann Road, as landscape and parking screen walls are permitted within the 20 ft. landscape area.

The second request is to maintain the existing number of parking spaces as seven spaces for customers and employees. Customers come to the office initially to rent a unit or store vehicles, but once rented, these customers do not use the customer parking. The number of employees will remain as two employees.

The third request is for opaque gates as an alternative to solid gates at each drive. The existing eastern vehicular gate was changed to an open gate to allow for air to pass through. However, the gates are required to be solid for screening. The proposed new gate will be opaque to provide screening yet allow air to pass through and the existing gate will be replaced to match the new gate. The new gate design has perforated metal with ½-inch and 1-inch diameter holes and metal tubes as depicted in the Development Booklet.

DISCUSSION

Planning Staff supports the request to modify the site layout and add two buildings to the self-storage facility. The building design, landscape and site improvements complement the existing facility. The waivers for a reduced setback along Germann Road, no additional parking, and opaque gates are appropriate modifications for the self-storage facility. The 30-ft. deep landscape tract along Germann Road provides a significant visual buffer mitigating any concerns generated by the wall height and the outdoor vehicular storage area.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood notification letter being mailed on November 25, 2013. Planning Staff has received no correspondence in opposition.

RECOMMENDED ACTION

Upon finding consistency with the Chandler Airpark Area Plan and Planned Area Development (PAD) zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Compliance with original conditions adopted by the City Council as Ordinance No. 3229 in case DVR00-0028, GERMANN COMMERCE CENTER, except as modified by condition herein.
2. Development shall be in substantial conformance with the Development Booklet, entitled "Facility Expansion for Germann Storage Solutions", and kept on file in the City of Chandler Planning Division, in File No. PDP13-0012, except as modified by condition herein.
3. The existing east driveway gate shall be replaced to match the new gate.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting. Dead, dying or missing landscape shall be replaced.
5. The site shall be maintained in a clean and orderly manner.
6. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
7. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standards details and design manuals.

8. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

10. NOTICE OF INTENTION: System Development Fee Modification

ADOPTED Notice of Intention to modify certain System Development Fees and set the date for a public hearing on March 24, 2014.

BACKGROUND
In order to continue to collect System Development Fees after August 1, 2014, the City must comply with Arizona Revised Statute §9-463.05. Several steps have already been completed to ensure City compliance with the Statute including an administrative action to reduce most system development fees effective January 1, 2012; completely revising the City's ordinance regarding collection and use of system development fees; hiring a consultant to prepare a report detailing Land Use Assumptions and an Infrastructure Improvement Plan and developing proposed changes to system development fees; and Council adoption of the Land Use Assumptions and Infrastructure Improvement Plan on the February 13, 2014 agenda. The next step is for Council to consider the proposed fee changes and to conduct a public hearing no sooner than 30 days after publication of a Notice of Intention. The hearing is planned for Monday, March 24, 2014, as a Special Meeting following the Study Session.

PUBLIC NOTIFICATION
Once approved by Council, the Notice of Intention to Modify Certain System Development Fees will be posted on the City's web site and published in the Arizona Republic. In addition, social media and other electronic media will be used to notify the public of the public hearing.

FINANCIAL IMPLICATIONS

The City currently has ten System Development Fee categories (which includes those identified as System Development Fees and those identified as Impact Fees). Each of the categories has been evaluated in the consultant's report based on updated land use assumptions and the Infrastructure Improvements Plans. In the final analysis, some fees are proposed to decrease, some are proposed to increase and one (Water Resources) would be eliminated and merged with the Water System Development Fee.

11. RELEASE OF DEED OF TRUST: 298-382 N. McQueen Road

AUTHORIZED the Neighborhood Resources Director to release a Deed of Trust on property at 298-382 N. McQueen Road, Chandler, Arizona, in consideration for the receipt of the sum of $20,000.00.

BACKGROUND/DISCUSSION
Normally, the release of a Deed of Trust is a routine matter handled through the Neighborhood Resources Director when a housing rehabilitation loan is repaid or otherwise satisfied.

However, this matter involved the release of a Deed of Trust that secured a note given by Human Action for Chandler (HAC), now Community Services of Arizona (CSA), in consideration for an award of $500,482.00 in federal HOME Investment Partnership Program (HOME) funds in 1998 for the development of affordable housing. No portion of the note has been repaid, but the period

of the note has passed the federally required 10-year affordability period, even though it has not yet met the additional 10 years comprising the full term of the 20-year note.

In 2004, the City's lien was subordinated to a bank loan and Deed of Trust, which is now in the first lien position and which, until recently, has been subject to foreclosure proceedings that would completely eliminate the City's interest in the subject property securing the City note. The bank lien was assigned to an investment group that only recently cancelled the pending trustee's sale to foreclose on the property. Meanwhile, a closely associated entity, AZ APT 3113, LC, has acquired title to the property from CSA and assumed CSA's repayment obligation under the bank note. AZ APT 3113, LLC has offered to pay the City $20,000.00 in consideration for the City's recording a release of its lien interest in the property.

The release of the City's lien will allow AZ APT 3113, LLC to obtain new financing or to find a new buyer for the property. The new owner's offer benefits the City because it allows the City to recoup a portion of its original loan for future community development use. Otherwise, the City's lien will either be eliminated through foreclosure of the first lien or will automatically expire in a few years. It is recommended that the City accept the offer and, upon receipt of the funds, release its interest in the property.

12. AGREEMENT: Ryley Carlock & Applewhite

APPROVED a 2-year agreement with Ryley Carlock & Applewhite for legal services in an amount not to exceed $175,000.00.

13. AGREEMENT: Winter & Company

APPROVED Agreement No. CM4-918-3298 with Winter & Company as an Adaptive Building Reuse Program Consultant in an amount not to exceed $65,280.00.

This professional services agreement is to review current City policies, ordinances, and codes related to the reuse of existing buildings that may not meet current City Code requirements. The adaptive reuse of older buildings can contribute to the preservation of local community character, optimize local infrastructure investment by promoting development in areas where infrastructure is already established, and increase property values by restoring properties to productive uses.

This analysis of existing tools and any additions or modifications that may be needed to create a comprehensive Adaptive Building Reuse Program will be identified by the consultant and recommendations will be presented at a future Council meeting. The area under review shall be bounded by Ray Road on the north; McQueen Road on the east; Pecos Road on the south; and Alma School Road on the west.

Adaptive Reuse Program Deliverables include:

1. Define Adaptive Reuse Climate:
    - Summarize existing policies in key documents such as General Plan, Area Plans, Residential Conversion Policy, etc.
    - Analyze existing regulations.
    - Evaluate plan review and permit process for unique projects.
    - Recommend programs to consider for implementation relating to reuse projects.
    - Initiatives and tools to educate property owners.

- Review of Best Practices in peer communities across the nation and in the region.
- Focus group meetings with various stakeholders.

2. Develop Adaptive Reuse Strategy:
   - Preparation of a strategy paper that outlines and recommends the range of actions the City can take to facilitate Adaptive Reuse.
3. Implementation of Adaptive Reuse Strategy:
   - Final Adaptive Reuse Report and presentation to stakeholders, Planning and Zoning Commission, and City Council
   - Development of administrative improvement tools, including potential Code revisions, incentive programs, revisions to permit process and staff process.
   - Development of formal policy recommendations for Council approval.
   - Conduct training sessions with staff members and area developers.
   - Development of a brochure to promote the program.

This program was identified by the Mayor and Council during the FY 13-14 Budget process as a priority for the City.

14. PROJECT AGREEMENT: Carollo Engineers, Inc.

APPROVED Project Agreement No. WA1412-201 with Carollo Engineers, Inc., for water and wastewater plant control system upgrades, pursuant to Annual Permitting, Studies, Design and Post-Design Services Contract No. EN1309-101, in an amount not to exceed $183,580.00.

15. CONTRACT: AJP Electric, Inc.

COUNCILMEMBER HEUMANN VOTED NAY.

APPROVED (5-1) Contract No. AI1303-401 with AJP Electric, Inc., for construction of the Airport Taxiway "A" lighting circuit, in an amount not to exceed $89,810.00 and authorize the City Manager or his designee to sign the contract documents.

16. AGREEMENT AMENDMENT: Mechanical Products BAS, Inc.

APPROVED Agreement No. CM3-220-3155, Amendment No. 1, with Mechanical Products BAS, Inc., for Energy Management System – Phase II, in an amount not to exceed $75,000.00 for a one-year period.

17. AGREEMENT AMENDMENT: Continental Flooring Company

APPROVED Agreement No. BF3-360-3216, Amendment No. 1, with Continental Flooring Company in an amount not to exceed $100,000.00 for a two-year period.

18. PROJECT AGREEMENT: Gavan & Barker, Inc.

APPROVED Project Agreement No. PR1408-201 with Gavan & Barker, Inc., for Folley Park Improvements, pursuant to Annual Contract No. EN1305-101, in an amount not to exceed $65,739.00.

19. CONTRACT EXTENSION: Ritoch-Powell & Associates

APPROVED Contract No. EN1002-101 extension with Ritoch-Powell & Associates, for civil design and platting services, in an amount not to exceed $200,000.00 for one year.

Staff anticipates needing civil design and platting services in support of the Fiscal Year 2014-2015 Capital Improvement Program. Dependent upon the project design needs, work will rotate between two firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward. Any project agreement exceeding $30,000.00 will require City Council approval.

20. CONTRACT EXTENSION: Sunrise Engineering

APPROVED Contract No. EN1004-101 extension with Sunrise Engineering for civil design and platting services in an amount not to exceed $100,000.00 for one year.

Staff anticipates needing civil design and platting services in support of the Fiscal Year 2014-2015 Capital Improvement Program. Dependent upon the project design needs, work will rotate between two firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward. Any project agreement exceeding $30,000.00 will require City Council approval.

21. CONTRACT: Roadway Electric, LLC

APPROVED Contract No. ST1201-401 with Roadway Electric, LLC, for construction for Intelligent Transportation Systems (ITS) Fiber Communication in an amount not to exceed $718,222.00.

22. CONTRACT: Salt River Project

APPROVED Contract No. ST0809 with Salt River Project (SRP) for design and construction for Gilbert Road Improvements, for street lights from Wood Drive to Hunt Highway, in an amount not to exceed $306,410.00.

23. CONTRACT: Salt River Project

APPROVED Contract No. ST0810-304 with Salt River Project (SRP) for design and construction for McQueen Road Improvements for underground conversion, overhead removal and street lights from Ocotillo Road to Candler Heights Road in an amount not to exceed $286,079.73.

24. PURCHASE: Vision Business Products and Wist Office Products

APPROVED the purchase of laser and inkjet printer cartridges, OEM/Remanufactured, from Vision Business Products and Wist Office Products, utilizing the State of Arizona contracts, in a total amount not to exceed $65,000.00.

25. LICENSE AGREEMENT: Chandler Chamber of Commerce

APPROVED a license agreement with the Chandler Chamber of Commerce for the use of Tumbleweed Park in conjunction with the Ostrich Festival from March 7, 2014, to March 9, 2014, and from March 13, 2015, to March 15, 2015.

The Chandler Chamber of Commerce (CCC) organizes, sponsors and conducts the Ostrich Festival using Tumbleweed Park as its event venue. Past license agreements have been for a

one-year term. This agreement is for the 2014 and 2015 event years. Both the CCC and City Staff believe that a two-year license agreement will streamline planning and improve event implementation.

The 2014 event is proposed to take place from March 7 – 9, 2014, with set up commencing on March 2nd and cleanup to be completed by March 11. The 2015 event is proposed to take place March 13 – 15, 2015, with set up commencing on March 8th and cleanup to be completed by March 17. As the event has grown in size, scope, duration and attendance, it becomes prudent to enter into a license agreement that clearly delineates the role of each entity and the City's expectations regarding planning, layout, operations and clean up.

To that end, the license agreement was prepared with input from Police, Fire, Community Services, Risk Management and the CCC. Key elements in the agreement include:

1. Designation of specific deadlines for the submittal of site plans, emergency plans, vendor requirements and necessary permits.
2. Identification of allowable activities and events.
3. Identification of contact personnel representing each entity involved in oversight of the event.
4. Clarification of the authority of City personnel, specifically Public Safety Staff, in event oversight.
5. Identification of event set up and clean up responsibilities.
6. Specification of insurance requirements, limits and naming of the City as an additional insured.
7. Specification of timelines for identifying and notifying the CCC of damage to the site as a result of the festival and establishment of a remediation plan.

26. USE PERMIT: Winco Foods Store

APPROVED Use Permit LUP13-0020, Winco Food Store, Series 9 Liquor Store License, to sell liquor as permitted within a grocery store located at the NWC of Arizona Avenue and Willis Road, west end of the San Tan Plaza commercial center. (Applicant: Withey Morris PLC, Adam Baugh.)

BACKGROUND

This new grocery store will be located in the San Tan Plaza commercial center currently occupied by Kohl's retail store. The grocery store is approximately 85,000 square feet. Beer and wine are generally displayed in grocery aisles while the spirituous liquor products are displayed and stored behind the customer service counter.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 8, 2014. There were no neighbors in attendance. The Police Department has been informed of the application and responded with no concerns. Planning Staff received a call from one resident in the adjacent subdivision that had concerns about liquor sales and possible misconduct relate to it. Staff advised the resident that the City's Police Department and store manager would work together if problems arise.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion, modification or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Liquor Use Permit reapplication and approval.
2. The Liquor Use Permit is granted for a Series 9 Liquor Store License only and any change of licenses shall require reapplication and new liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.

27. USE PERMIT: Talebu LLC

APPROVED Use Permit LUP13-0021 Talebu, LLC, Series 12 Restaurant License, to sell liquor as permitted for on-premise consumption both indoors and within an outdoor patio and to allow live music indoors at an existing restaurant located at 2095 N. Alma School Road, Ste. 2A, north of the NEC of Alma School and Warner roads. (Applicant: Todd Macalady; Owner.)

BACKGROUND

The subject site is located north of the northeast corner of Alma School and Warner roads and is the end suite in an inline shops building. A self-defense studio, Subway, and nutritionist are located in the suites south of the subject site. West is a parking lot with Alma School Road beyond; north is a parking lot with El Monte Place beyond. North of El Monte Place are small garden office buildings. The subject suite is part of the Sun Village Fair Mall Shopping Center that is anchored by a Fry's grocery store and a Walmart Supercenter.

The request is for Liquor Use Permit approval for a Series 12 Restaurant License to allow for the operation of a wine bar. The subject suite currently houses a coffee shop that is seeking to add a wine bar to their operations. The suite is approximately 3,000 square feet and provides area for 32 individual seats and two couches. The wine bar will be located along the northern wall and is approximately 160 square feet and will provide seating for 12 patrons. An existing 500 square foot outdoor patio is provided west of the site and provides seating for 20 patrons.

In addition to the wine bar, the request seeks to allow the continued ability for local musicians to provide live music. Live music is performed Thursday evenings and every other Friday or Saturday evening. Musicians are generally one or two persons and usually acoustic. All performances are held indoors with no music being piped outdoors.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 10, 2014. There were 12 neighbors in attendance in support of the request. Planning Staff has received one phone call from a resident that lives northwest of the site. She had concerns with live music outside, but once it was explained that the live music would only be held indoors, she had no concerns.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Pridemore and Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit granted is for a Series 12 license only and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require a new Liquor Use Permit application and approval.
4. The site and outdoor patio shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents.

28. LIQUOR LICENSE: Talebu Coffee and Wine Bar

APPROVED a Series 12 Restaurant Liquor License (Chandler #144870 L12) for Todd Macalady, Agent, Talebu LLC, dba Talebu Coffee and Wine Bar, 2095 N. Alma School Road, Suite 2. A recommendation for approval of State Liquor License #12079695 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

29. SPECIAL EVENT LIQUOR LICENSE: ICAN

APPROVED a Special Event Liquor License for ICAN for the Best Food Truck of Arizona, February 22 and 23, 2014, at Tumbleweed Park, 745 E. Germann Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this application is a non-profit organization, no sales tax license is required.

30. SPECIAL EVENT LIQUOR LICENSE: The Boot Campaign

APPROVED a Special Event Liquor License for The Boot Campaign for the Great American BBQ & Beer Fest, March 22, 2014, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this application is a non-profit organization, no sales tax license is required.

31. LIQUOR LICENSE: Fresh & Easy #1017

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #151296 L10) for Andrea Dahlman Lewkowitz, Agent, Y-OPCO LLC, dba Fresh & Easy #1017, 3000 N. Alma School Road. A recommendation for approval of State Liquor License #10076461 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Fresh & Easy Neighborhood Market.

32. SAMPLING PRIVILEGES LIQUOR LICENSE: Fresh & Easy #1017

APPROVED the addition of sampling privileges to the existing Series 10 Beer and Wine Store Liquor License (Chandler #151296 L10) for Andrea Dahlman Lewkowitz, Agent, Y-OPCO LLC, dba Fresh and Easy #1017, 3000 N. Alma School Road. A recommendation for approval of adding sampling privileges to State Liquor Licenses #10076461s will be forwarded to the State Department of Liquor Licenses and Control.

Fresh & Easy #1017 received a new Series 10 Beer and Wine Store Liquor License earlier in this meeting. The applicant has submitted an application to add sampling privileges to their license. The Arizona State Legislature amended A.R.S. § 4-206.01(J), effective July 29, 2010, allowing an applicant or licensee of a liquor store license or a beer and wine store license to apply for sampling privileges. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

33. LIQUOR LICENSE: Fresh & Easy #1059

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #151226 L10) for Andrea Dahlman Lewkowitz, Agent, Y-OPCO LLC dba Fresh & Easy #1059, 5805 W. Ray Road. A recommendation for approval of State Liquor License #10076462 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Fresh and Easy Neighborhood Market.

34. SAMPLING PRIVILEGES LIQUOR LICENSE: Fresh & Easy #1059

APPROVED the addition of sampling privileges to the existing Series 10 Beer and Wine Store Liquor License (Chandler #151226 L10) for Andrea Dahlman Lewkowitz, Agent, Y-OPCO LLC, dba Fresh and Easy #1059, 5805 W. Ray Road. A recommendation for approval of adding sampling privileges to State Liquor Licenses #10076462s will be forwarded to the State Department of Liquor Licenses and Control.

Fresh & Easy #1059 received a new Series 10 Beer and Wine Store Liquor License earlier in this meeting. The applicant has submitted an application to add sampling privileges to their license. The Arizona State Legislature amended A.R.S. § 4-206.01(J), effective July 29, 2010, allowing an applicant or licensee of a liquor store license or a beer and wine store license to apply for sampling privileges. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

35. LIQUOR LICENSE: Fresh & Easy #1078

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #151211 L10) for Andrea Dahlman Lewkowitz, Agent, Y-OPCO LLC dba Fresh & Easy #1078, 3050 S. Dobson Road. A recommendation for approval of State Liquor License #10076463 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Fresh and Easy Neighborhood Market.

36. SAMPLING PRIVILEGES LIQUOR LICENSE: Fresh & Easy #1078

APPROVED the addition of sampling privileges to the existing Series 10 Beer and Wine Store Liquor License (Chandler #151211 L10) for Andrea Dahlman Lewkowitz, Agent, Y-OPCO LLC, dba Fresh and Easy #1078, 3050 S. Dobson Road. A recommendation for approval of adding sampling privileges to State Liquor Licenses #10076463s will be forwarded to the State Department of Liquor Licenses and Control.

Fresh & Easy #1078 received a new Series 10 Beer and Wine Store Liquor License earlier in this meeting. The applicant has submitted an application to add sampling privileges to their license. The Arizona State Legislature amended A.R.S. § 4-206.01(J), effective July 29, 2010, allowing an applicant or licensee of a liquor store license or a beer and wine store license to apply for sampling privileges. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

37. PRELIMINARY PLAT: Kyrene 202 Business Park

APPROVED Preliminary Plat PPT13-0018 Kyrene 202 Business Park, for a business park located at the SWC of Kyrene Road and Gila Springs Place. (Applicant: Jeff Erickson; Erickson & Meeks Eng., LLC.)

BACKGROUND
This Preliminary Plat is for a business park approved by Council in early 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7-0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and Planned Area Development zoning, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

38. PRELIMINARY PLAT: Truwest Credit Union

APPROVED Preliminary Plat PP13-0011 Truwest Credit Union, for a future commercial development located at the NEC of Dobson and Elliot roads. (Applicant: Ken Zell; Zell Company, LLC.)

BACKGROUND
The subject site is zoned Community Commercial (C-2). The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT
Motion to approve passed unanimously 7-0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and C-2 zoning, the Planning Commission and Planning Staff recommend approval of the Preliminary Plat subject to the following condition:

1. Approval by the City Engineer and Director of Transportation and Development with regard to the details of all submittals required by code or condition.

39. FINAL PAT: Santa Maria village

APPROVED Final Plat FPT13-0019 Santa Maria Village, for a 79-lot single-family residential subdivision located at the NEC of Chandler Boulevard and McQueen Road. (Applicant: Jose Montoya; M2 Group, Inc.)

BACKGROUND
The subdivision was approved by Council in late 2013. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

40. FINAL PLAT: Maplewood Court II

APPROVED Final Plat FPT13-0024 Maplewood Court II, for a 14-lot single-family residential subdivision located at the SWC of Willis Road and Vine Street. (Applicant: Troy Peterson; Bowman Consulting Group.)

BACKGROUND
This subdivision was approved b Council in January of this year. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

SCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny expressed his condolences to councilmember Hartke and his family on the passing of his mother in law.

Mayor gave a reminder about the upcoming Budget Connect meeting on February 27th at 6:00 p.m.

Mayor stated the recent State of the City video is available on the City's website.

The Classic Car and Hot Rod show will be in Downtown Chandler on February 22.

He congratulated Councilmember Sellers for his appointment to the State Transportation Board.

B. Councilmembers' Announcements

Vice Mayor Heumann announced the Sci-Tech Festival beginning February 20.

Councilmember Donovan thanked the support in holding the Volunteer Recognition Event and the many volunteers in the community.

Councilmember Ellen congratulated Councilmember Sellers on his appointment to the State Transportation Committee.

Each Councilmember shared condolences with the Hartke family.

C. City Manager's Announcements

City Manager Dlugas expressed condolences on behalf of the city staff to the Hartke family.

Adjournment: The meeting was adjourned at approximately 7:34 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: February 27, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 13th day of February 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 3 day of March, 2014.

_____
City Clerk

MINUTES OF THE SPECIAL MEETING (Budget Connect) OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago St., on Thursday, February 27, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 6:00 P.M.

The following members were present:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Trinity Donovan	Councilmember
	Jeff Weninger	Councilmember
	Nora Ellen	Councilmember

Mayor Tibshraeny said the budget process is a year-round process and this year, from mid-December to mid-January, residents had access to an online budget survey. This year approximately 750 responses have been received.

Mayor Tibshraeny read a question received as part of the online budget survey. "I am really concerned about our kids in school. The social climate is stressed and people seem less hopeful. It seems like drug use is up. Should we bring back D.A.R.E. or something like it?" Mayor asked Police Chief Duggan to address this comment.

POLICE CHIEF DUGGAN summarized the training and education programs they teach at schools within the Chandler School District. These school resource officers teach a minimum of 180 hours of law related education. The various topics include: dating violence, drug use, sensitive issues for teens, gang awareness, and others. He stated it is a combination of these programs in conjunction with the school partners they believe help the students make informed and smarter choices.

MAYOR TIBSHRAENY read another comment/suggestion from the survey. "Look at other cities that are running out of land with aging infrastructure. Identify some of the ideas that have worked there and then try some of them out in Chandler on a smaller scale. The City could then ramp up the ones that succeed and post news about them on the Chandler web page with a link to why they are being worked on and how businesses and residents can participate." Mayor asked Transportation & Development Manager R.J. Zeder to address this.

R.J. ZEDER, TRANSPORTATION & DEVELOPMENT MANAGER, mentioned there are several initiatives that address this comment. One recent initiative is the Mayor's Four-Corner Retail Task Force. This task force reviews existing four-corner retail areas where stores have closed in order to repurpose those properties while making sure they do not add retail stores that would take away from other nearby businesses. A recent pilot program initiated from the Economic Development Department began work on the adaptive reuse study. The idea is how to help entrepreneurs and business owners repurpose some of the existing buildings in the downtown area.

BUDGET SURVEY RESULTS:

MAYOR TIBSHRAENY asked Greg Westrum to provide an overview of the budget survey results.

MR. GREG WESTRUM, Budget Manager, briefly addressed how technology has increased the communities input on the budget process since they started using this method three years ago. With the use of Facebook, Twitter, and the Internet, this year's outreach has provided 747 responses; the most in these three years since its inception.

Mr. Westrum focused on three areas within the survey. The first was a general overview of the city as a whole, the quality of life and the overall performance of the City. He reported that of those surveyed, 99% thought the City was performing in the excellent, very good or satisfactory level; 97% felt the quality of life in Chandler was excellent or very good; and 89% responded they receive a good return on their tax dollars from the City of Chandler. These comments are very positive, rewarding and a good indication of the direction the City is heading.

The second area Mr. Westrum addressed was the services provided by the City. The survey requested a ranking of importance of these services. These services fell into three major categories: Public Safety, Transportation and Leisure/Culture/Education/ Opportunities & Parks and park programs.

A new piece of the survey this year was a section called "Do you Agree": it listed statements like do you agree Chandler is a safe place to live, are there plenty of events for family and children, and comments about downtown chandler. All these questions ranked above 80%.

The third area dealt with capital improvement projects and what the citizens ranked in priority.

In summary, the survey reflects the communities support in the direction the City has gone in the past and where it is headed for the future. The full survey, results and summary are on the City website. http://www.chandleraz.gov/budget.

MAYOR TIBSHRAENY stated many comments from the survey dealt with parks and street maintenance. He asked Staff to follow up with the process and discuss how parks and streets are maintained and what is involved.

MR. MARK EYNATTEN, Community Services Director, noted that 95.3% of the residents who responded to the survey were extremely happy with the parks maintenance. That is a reflection of the leadership, vision and focus the Council has on the quality of life for its residents. The quality of maintenance also reflects the hard work and dedication of the 52 Staff members within the parks division. They are responsible for 70 park sites totaling approximately 1500 acres. In addition to those parks there are an additional 41 facilities scatted throughout the City which they maintain. These 52 individuals are divided into 7 geographical crews, each site within their geographical area is visited weekly or in some cases daily depending on the specifics of that site. Each site has 14 specific maintenance tasks to be done every visit. A daily maintenance log records work complete on each site.

Crews are also responsible to complete work/repair orders along with any storm damage, vandalism and other issues of various nature. There are seasonal tasks that need to be completed along with any special orders for special events or youth sport events.

Transportation & Development Manager R.J. ZEDER addressed issues of transportation maintenance. He stated City Staff, along with outside contracted help, maintain roughly 1,900 lane miles of public streets, over 26,000 street lights, 218 signalized intersections, and over 400 acres of landscaped medians and basins.

Through the coordinated efforts of Staff and data input into the software pavement manage system, which helps track and rate the condition of the streets, they build their maintenance and repair plan. Additionally, as part of the ADA transition plan, they make sure the abutting concrete is up to current ADA standards.

MAYOR TIBSHRAENY read another comment from the survey. "Reinvest in the older parts of the City. I believe improving the aesthetics around the whole City will increase the overall value, generate more revenue for the City, enabling more services, which will ultimately create an environment that is more attractive to business."

JENNIFER MORRISON, DIRECTOR OF NEIGHBORHOOD SERVICES, stated the City is very heavily investing and reinvesting in the older areas in town through a number of means. It is the partnership with the volunteers, private businesses, faith based, and nonprofit organizations that is invaluable. It is through a partnership with Newtown Community Land Trust that has made first time homeownership a reality for almost 50 families. These areas are also revitalized because of the refurbishing of older more distressed properties. Habitat for Humanity is also partner with Chandler.

The City has also been able to use federal funds to address infrastructure needs. Street lights have been replaced with more energy efficient ones, ADA ramps have been installed and replaced in various areas, and the pro-active efforts of code enforcement along with their diligence are helping to keep areas better maintained throughout the City.

MAYOR TIBSHRAENY read another comment from the survey. "Please consider modernization of the cities online utility billing. I tried switching to online but the quality and compression of the statement is awful, so I switched back to paper statements." Mayor asked Dawn Lang to address this statement.

DAWN LANG, MANAGEMENT SERVICES DIRECTOR, stated the department is actually in the process of implementing a new system for online payments. The functionality is much more enhanced and the bill will look exactly like the bill mailed to residents. They have also added more historical billing information to the bill. Customers will have the ability to pay by check or a new option is they can pay by credit card. The email notification sent out by the City will also include the amount of the bill.

MAYOR TIBSHRAENY read another comment from the survey. "Why can't you use volunteers to man construction projects not regular police? It is a waste of money and resources." Mayor asked Police Chief Duggan to address this question.

POLICE CHIEF DUGGAN stated the reason a police officer is used is because of their sworn status as a peace officer. They have statuary authority to direct, alter, and control traffic.

It was noted that for special events or construction projects the police officers are paid directly from that business or organization, and not the City.

BUDGET & CAPITAL IMPROVEMENT PLAN OVERVIEW:

MAYOR TIBSHRAENY asked Dawn Lang to provide an overview of the City's Budget and Capital Improvement Plan.

MS. LANG said there are many opportunities for citizens to comment during the budget development. Budget development is actually an ongoing process each year. The goal is to provide a well-forecasted, balanced, and sustainable budget that represents the needs of our citizens. Ms. Lang identified the key dates for budget adoption.

Ms. Lang recapped the changes to the City budget since the downturn that started in 2008. She commented that while Chandler is continuing to see improvements in ongoing sales tax revenue and the increase of home values, Chandler remains cautious with its budget.

She stated the importance of a structurally balanced budget. This meant that while there is a balanced budget, the revenue and expenditures must be monitored closely to stay within the budget all year long. The other important budget factors are those one-time monies. It is important that they are only spent on capital improvement projects.

Lastly, she mentioned monitoring and addressing legislative impacts.

MAYOR TIBSHRAENY talked about several budgeting issues that will be impacted by legislative decisions this year and stressed the importance of monitoring that legislation.

MS. LANG then recapped the budget charts which identified the City's revenue and its dissemination within the whole budget. She also stated that Maricopa County has indicated that assessed property values will be increasing this year by approximately 4.6%. However, commercial values are still decreasing by approximately 1.8%. Because of this increase in residential assessed value, and the Mayor and Council desire to minimize the impact on Chandler homeowners, they are looking at ways to reduce the tax burden.

Ms. Lang explained that out of every dollar residents pay for property tax, $0.12 goes to the City, $0.67 goes to Chandler Unified School District and the Maricopa County Community College District, and $0.21 goes to Maricopa County and other taxing districts.

MR. GREG WESTRUM, Budget Manager, briefly addressed the City's capital improvement projects (CIPs). He stated Chandler still faces economic challenges since the downturn of 2008. Federal grants are harder to get, and the ability to sell bonds is greatly limited.

Even with these challenges, Chandler still moves forward with building parks, street improvements, and key projects. Other major improvements are in the municipal utilities. One project is a water reclamation facility to be constructed and the other is an expansion of a water treatment plant in conjunction with the Town of Gilbert.

MAYOR TIBSHRAENY read another comment. "I would love to know the budget for road improvements and whether they are ahead or behind in schedule? Nearly every north/south road from Alma School to Val Vista between Riggs Road and Germann is under construction." Mayor Tibshraeny stated while some of those roads mentioned are in Gilbert, these roads were in desperate need of improvement.

MR. GREG WESTRUM, Budget Manager, commented on how the recession impacted the road improvement schedule, yet the City is ahead of schedule on some projects and mentioned three major arterial projects starting this summer. Those projects are: Ocotillo Rd. from Arizona Ave. to McQueen Rd., McQueen Rd. from Ocotillo Rd. to Chandler Heights Rd., and Gilbert Rd. down to Hunt Highway. The department works on keeping several projects "shovel ready" in case any Federal monies become available, this way the City would be able to apply for them quickly.

MAYOR TIBSHRAENY stated that any of the questions they were not able to address at this meeting will be responded to by Staff within the next week.

CLOSING COMMENTS:

COUNCILMEMBER HARTKE commented on how pleased he was regarding the Budget process and how gratifying it was to see the confidence expressed by the residents.

Adjournment: The meeting was adjourned at approximately 6:56 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: March 13, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 27th day of February 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of March 2014.

_____ City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, February 27, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:03 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Larry Lee – Greater Phoenix Chinese Church

PLEDGE OF ALLEGIANCE: Councilmember Weninger led the Pledge of Allegiance.

CONSENT:

Mayor Tibshraeny noted he had received Request to Speak cards for Item 6. Discussion is noted under that item.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER DONOVAN, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Minutes:

1a. Special Meeting of February 13, 2014
1b. Regular Meeting of February 13, 2014.

2. REZONING: Centre Point Business Park Ord. #4524

ADOPTED Ordinance No. 4524, rezoning from Planned Area Development (PAD) for light industrial, general/medical/dental office, and self-storage mini-warehousing to PAD for retail/restaurant, light industrial, general/medical/dental office, and self- storage mini-warehousing.

3. REZONING: Layton Lakes Parcel 17 Ord. #4525

ADOPTED Ordinance No. 4525, DVR13-0031 Layton Lakes Parcel 17, rezoning from Planned Area Development (PAD) for commercial uses to PAD Single-Family Residential.

4. RIGHT-OF-WAY VACATION: NWC Gilbert Road and Chandler Blvd. Ord. #4469

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4469 repealing Ordinance No. 3996 and authorizing the vacation of a portion of road right-of-way at the NWC of Gilbert Road and Chandler Boulevard of approximately 14,563 sq. ft., conditioned upon receipt of $78,566.00 plus closing expenses, if any, and reserving an easement of 1,500 sq. ft. for a future City monument sign.

BACKGROUND/DISCUSSION

In 2002, the City acquired property located at the northwest corner of Gilbert Road and Chandler Boulevard (Norton's Corner) for the East Chandler Boulevard Road Improvement Project. The parcel was improved with a building and business and contained approximately 43,560 square feet. The acquisition cost the City approximately $430,332.00 or $9.88 per square foot. The intersection improvement project was completed. However, approximately 14,563 square feet of land remained as a remnant. In 2008, Starpointe Communities requested that the City vacate the remaining 14,563 square feet of right-of-way so that it could be incorporated into their project. Council adopted Ordinance No. 3996 authorizing the vacation in consideration for payment of $148,498.00 and reserving a sign easement. However, Starpointe Communities was not able to obtain the funds necessary to develop their property and did not complete the proposed transaction with the City. As a result, Ordinance No. 3996 was never recorded and the vacation never occurred.

Starpointe Communities recently sold the property to KB Home Phoenix, Inc. KB Home Phoenix has indicated an interest in acquiring the parcel with the sign easement reserved from the City for a price of $78,566.00 plus closing costs, if any. This represents KB Home Phoenix' cost basis for the adjacent property of approximately $5.39 per square foot.

In accordance with the previous Intergovernmental Agreement, the City of Chandler and the Town of Gilbert shared costs for developing the Gilbert Road and Chandler Boulevard Improvement Project. Under that agreement, the Town of Gilbert is entitled to receive reimbursement of its contribution to the acquisition of the Norton's Corner parcel at a rate of forty-four percent (44%) of the proceeds upon sale of the parcel.

Staff recommends vacating the City's remnant parcel at its cost basis plus closing expenses.

FINANCIAL IMPLICATIONS

Cost:	Closing costs
Long Term Savings:	$78,566 (plus closing costs in cash)
	$34,569 (reimbursement to Town of Gilbert)
	$43,997 (net compensation to City of Chandler)
Long Term Costs:	Maintenance of sign easement area

5. ANNEXATION: NWC Riggs and Lindsay Roads Ord. #4526

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4526 annexing approximately 19 acres located west of the NWC of Riggs and Lindsay roads. (Applicant: Lowell G. Peterson, LGP Enterprises, Inc.)

BACKGROUND
The subject site consists of two parcels that are currently zoned RU-43 within the County. The site is bordered by unincorporated rural residential properties to the north, Bela Flor custom home subdivision to the west, Jacaranda Place subdivision (currently under construction) to the east and Riggs Road on the south. The Chandler Land Use Element of the General Plan designates the site as Residential and the southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian Character.

The property owner has submitted a rezoning application to allow the development of a low-density residential subdivision on the subject site.

UTILITY SERVICES
Existing municipal water service, waste water service, and reclaimed water are available in Riggs Road.

STAFF COMMENTS
A public hearing for this annexation was held at the January 23, 2014, City Council meeting. Staff has not received any comments from residents or other members of the public regarding this annexation. Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

6. PROPERTY SALE: SWC Gilbert and Ocotillo Roads Ord. #4527

MR. PAUL GILBERT, 701 N. 44TH Street, said he is appearing on behalf of the Brown Company who was the second runner-up bidder. He said it was well known that it was the desire of the staff to have an anchor tenant and felt it was referenced with sufficient clarity in the RFP. He added it was made very public and was very well known that the most obvious anchor tenant to go at this location was Fry's grocery store. He commented that Fry's had announced in public and to many people that they had a desire to go at this location. They did not have a desire to buy the entire piece of property, but intended to purchase the property in conjunction with who was awarded the RFP.

He said the individuals that won this proposal are proposing a much higher price than Fry's is willing to buy. Mr. Gilbert said the concern is that under the proposal, the winning bidder gets 11 months to determine whether it's feasible and the only forfeit ability is $100. He added his concern is given the fact Fry's has announced where it stands, there has been no progress made in bringing Fry's to the table. He stated the City Council runs a real risk of losing what could be a good tenant and maybe the only grocery store tenant that can locate at this location if they have to wait 11 months. He felt there should be a shorter time period than 11 months to make this decision as Fry's may not wait 11 months and the developer may not be able to find another anchor tenant. He said his client has a long relationship with Fry's and indicated on their RFP that they have met and negotiated with them.

He asked the Council not to allow the applicant 11 months to secure an anchor tenant. He suggested 3 months or a shorter period of time.

MR. ADAM BAUGH, WitheyMorris, 2525 E. Arizona Biltmore Circle, representing DeRito Partners said they have been successful in developing in the city and are very qualified to respond to this RFP. Mr. Baugh noted he didn't believe Mr. Gilbert represented Fry's. He said his client met all requirements, was the highest bidder, best qualified and are a known entity.

He commented his client has had discussions with a variety of tenants, including Fry's, and will continue to do that. He said a 3 month timeline is too short as negotiations take time. He urged the Council to approve the recommendation as made by staff.

VICE MAYOR HEUMANN asked about the process and timeline. MR. JAMES SMITH, Economic Development Specialist, replied the reason to use the RFP process was to ensure the City Council and neighborhoods had a project they were comfortable with. He explained there were seven responses with three remaining finalists. He noted DeRito was the only one to state they would be willing to close in the July/August aggressive time frame. The discussion of December 31st is a "no later than" date. They have agreed to close as soon as their zoning is in place. The other respondent didn't want to close until 2016 upon the receipt of their building permits; and the Brown Group contemplated closing on the residential in October 1, 2014 and the commercial on February 1, 2015. He addressed Mr. Gilbert's comment of "losing $100", and stated the DeRito Group has offered $100,000 in non-refundable earnest money within 5 days of Council's approval of an executed purchase contract. The Brown Group suggested $50,000 and doesn't contemplate whether that is refundable. He also noted that the developer agreed to make changes to the site plan to accommodate the city's expectation, as well as the neighbors and the anchor tenant.

VICE MAYOR HEUMANN asked regarding the Brown proposal if that was at market value. Mr. Smith said that was significantly below the appraisal that staff received.

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4527 authorizing the sale of approximately 31.22 acres of City-owned property at the SWC of Gilbert and Ocotillo roads to DeRito Partners Development, Inc., for $8,647,334.00; authorizing the Recapture Agreement; and authorizing the City Manager or his designee to execute all relevant documents.

BACKGROUND/DISCUSSION

The City opened a Request For Proposal (RFP) to determine the feasibility of selling the 31.22 acre, City-owned parcel at the SWC of Gilbert and Ocotillo roads. The RFP was open from August 30, 2013, until the submittal deadline of October 29, 2013. Conducting this RFP process helped to ensure an open and competitive method for selling the subject site, while also requiring that the proposer's development concepts were consistent with the City's vision for the area.

The subject parcel was originally intended to be a wastewater treatment plant; however, it has been determined that there are properties that are more suitable to accommodate this function. As a result, City Staff determined that this parcel could be considered surplus and available for sale to accommodate a mix of commercial and residential uses.

The City had been contacted several times over the past few years regarding the potential sale and development of this parcel, but it was not considered feasible until mid-2013 when it was determined that the property would no longer be needed for a wastewater facility. In addition, several retail users have expressed interest in being located in this general area of the City. Therefore, it is believed that commercial development on this parcel is viable and that the

development will help ensure that retail users interested in this area will locate in the City of Chandler, rather than outside our border, ensuring tax revenues for the City.

RFP DETAILS

City Staff determined that an RFP process would be the desired course of action instead of simply selling the land to the highest bidder. This process allowed the City to include stipulations determined to be important when selling this land for development. Among the stipulations outlined in the RFP were the City's desire that proposals contemplate:

1) Purchase of the entire parcel, not just a portion of the site,
2) The development of a significant, anchored commercial center,
3) The development of a quality project that is consistent and compatible with existing and other planned projects in the immediate area,
4) An aggressive timeline for developing at least the commercial component of the development.

In addition, the RFP expressed the City's intention to attach restrictive covenants and/or enter into a development agreement with the successful proposer in order to ensure that the development is completed in a timely manner, as contemplated in the proposer's submittal materials, and as approved by City Council. These restrictions are intended to discourage a "buy and hold" strategy and allow for the City to reacquire the property if the development is not completed within approved timelines.

RESPONSES TO THE RFP

Overall, the RFP received seven (7) responses. Four of the submittals were eliminated from consideration because their sales price offer was far below the three highest bidders. The offers of these four proposers ranged between $2.2M and $5.2M below the highest offer of approximately $8.65M.

The top three proposals were considered; however, one was subsequently eliminated due to the fact that their proposal contemplated only commercial uses. This proposed development represented over 270,000 square feet of new commercial space. Staff did not believe that this could be supported, particularly due to its proximity to Chandler Heights Marketplace (one mile south) and the Crossroads Town Center/Mill Crossing area (two miles north), which represent over 100,000 and 1.5M square feet, respectively

Thus, the first (DeRito Partners) and third highest (Brown Group) sales price proposers were interviewed by a committee of City Staff. Both projects were deemed responsive to the RFP and consistent with the City's goals. In addition, both groups expressed a willingness to work with the City to make improvements that are likely to be requested to conform to the City's development standards.

Ultimately, DeRito Partners is recommended as the winning proposer for several reasons. It was determined that their proposal provided the best combination of short-term (sales price of the land) and long-term (supportable level of commercial development, which provides increases in sales and property tax revenues in future years) financial benefit to the City. The company has a long-standing reputation of developing, redeveloping and managing quality retail projects, including a significant level of experience in the City of Chandler. The company has demonstrated the financial wherewithal to complete projects of similar size and scope. DeRito Partners' response to the RFP was deemed to be consistent with the City's vision and goals, and their offer price was $500,000.00 and $2.1M higher than the next two proposers. Other

considerations in the decision to recommend DeRito Partners were their willingness to deposit $100,000.00 into an escrow account within five (5) days of City Council approval of a purchase agreement and their aggressive timeline, including plans to seek entitlements in a timely manner and to close on the property no later than December 31, 2014.

It is important to note that this parcel will need to go through a full rezoning process requiring both neighborhood input and, ultimately, City Council approval. Final sale of the property is contingent upon DeRito Partners receiving approval for their proposed project prior to closing on the site.

FINANCIAL IMPLICATIONS
Revenue from the sale of this property, $8,647,334.00, will be credited to the water and wastewater operating funds.

7. MEMORANDUM OF AGREEMENT: University of Southern California Res. #4735

ADOPTED Resolution No. 4735 authorizing the memorandum of Agreement with the University of Southern California School of Social Work.

BACKGROUND/DISCUSSION
The USC School of Social Work has launched the "Virtual Academic Center", nationally offering an accredited Master of Social Work (MSW) degree online. The Chandler Fire Department's Crisis Response Unit has been researched and contacted by USC to provide internship experience to MSW students enrolled in the USC program. Students will complete 550 hours over a 30-week time frame for the academic year. The Department's full-time Crisis Response personnel meet all the requirements set by the University to serve as Field Instructors. The Department's Crisis Response Unit currently provides similar internship opportunities for Arizona State University School of Social Work students. Volunteers and interns serve as the "backbone" of staffing for the Crisis Response Unit on a 24/7 basis and the Department welcomes the opportunity to have additional interns serve on the Unit.

8. PRELIMINARY DEVELOPMENT PLAN: Calabria

APPROVED Preliminary Development Plan PDP12-0014, Calabria, housing product for a single-family residential subdivision located at the SWC of Brooks Farm and Cooper roads. (Applicant: BMI Builder LLC/Blandford Homes, Christa Walker.)

BACKGROUND
The approximate 30-acre single-family subdivision for 97 lots is located at the southwest corner of Brooks Farm and Cooper roads. North Barrington and Symphony Estates II single-family subdivisions are located north and west of the site. The south boundary borders a recently approved rezoning for a custom single-family home and further south is a farm house and field and then Creekwood Ranch single-family subdivision.

The PDP for site layout, landscape and site amenities was approved in 2012. The Final Plat was also approved in 2012. The gated subdivision includes private streets with primary ingress and egress via Brooks Farm Road and exit-only/emergency access to Tower Avenue.

Lot sizes range from 7,590 to 14,785 square feet in size. Minimum setbacks are 20 ft. front yard, 20 ft. rear yard for one-story, 30 ft. rear yard for two stories, and 5 ft. and 10 ft. (total 15 ft.) side yards. Side-entry garages and forward-set livable areas have a reduced minimum front yard

setback of 15 feet. Porches can extend up to 10 ft. into the rear yard setback and 5 ft. into the front yard setback.

HOUSING PRODUCT

Two single-story plans and one two-story plan with three elevations per floor plan are proposed. Architectural styles include Spanish, Country French and Bungalow for each plan. Each home provides three-car garages, front porches and rear patios. The housing product is 45 ft. wide on 60 ft. wide lots. Floor area ranges from 2,454 sq. ft. up to 3,538 sq. feet.

The Residential Development Standards (RDS) for architectural diversity apply to the project and the housing product is in conformance. The homebuilder has addressed the nine required elements and optional elements including, but not limited to, four-sided architecture, garages setback behind the front livable space, gated courtyards on two styles of Plans 1 and 2, and nine color schemes with various stone types and roof tiles. The two-story plan provides a single-story element on the front and rear sides. Window shapes, stone types, wrought iron details, garage door styles and window grids are detailed to complement each architectural style.

Varied roof ridgelines, decorative windows, wrought iron accents, and decorative pipe vents and decorative columns provide quality and distinguish the various elevations from one another. Building massing is modulated through the use of single-story elements, window pop-outs, extended roof overhangs, and varied roof forms.

DISCUSSION

Planning Staff supports the requested housing product for Calabria. The architectural styles and design elements complement the neighborhood with a quality designed housing product.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on January 9, 2014. There were five neighbors in attendance with questions regarding restrictions on two-story homes, lot sizes, traffic on Tower Avenue and drainage. Planning Staff has received several phone calls inquiring about existing speeding traffic, additional traffic generated by this new subdivision, sidewalks, and lot sizes. One resident called and followed up with an email stating opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Pridemore and Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the Planned Area Development (PAD) zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "Calabria by Blandford Homes" kept on file in the City of Chandler Planning Services Division, in File No. PDP13-0014, except as modified by condition herein.
2. Development shall be in substantial conformance with the Development Booklet entitled "Calabria", kept on file in the City of Chandler Planning Services Division, in File No. PDP10-0019, except as modified by condition herein.
3. Compliance with original conditions adopted by the City Council as Ordinance No. 3401 in case DVR02-0028 CALABRIA, except as modified by condition herein.
4. The same elevation shall not be built side-by-side or directly across the street from one another.

5. All homes built on corner lots within the residential subdivision shall be single-story.

9. SUBORDINATION: 994 E Monterey Street

APPROVED the subordination of the Exterior Improvement Loan Program lien for project EIL13-0001 located at 994 E. Monterey Street in the amount of $15,695.00. (Morgan)

BACKGROUND/DISCUSSION
In 2013, the owner of a single-family, owner-occupied home at 994 E. Monterey Street received a $15,695.00 loan through the City's Exterior Improvement Loan Program. The City's lien against the property is for $15,695.00. The City's loan is a 5-year forgivable loan, secured by a Deed of Trust recorded as a lien against the home, with the balance to be forgiven in 2018.

The owner is requesting a refinance of the home to lower the interest rate. The new loan of $147,800.00 reduces the interest rate, lowers the mortgage payment and the owner will receive no cash out as required by the City's refinancing policy. In order to obtain the loan, a subordination of the City's lien is required by the lending institution and the City lien will remain in the same position.

FINANCIAL IMPLICATIONS
The City will not be prejudiced by the refinancing or the subordination. The City's lien is currently in second position and will remain in second position after the refinancing is complete. The City's lien will not be released until the loan term expires in 2018.

10. AGREEMENT: Cutler Repaving, Inc.

APPROVED Agreement No. ST4-745-3339 with Cutler Repaving, Inc., for hot-in-place asphalt recycling in an amount not to exceed $2,400,000.00 with the option of three one-year extensions.

11. AGREEMENT/CONTINGENCY TRANSFER: Cole Design Group, Inc.

APPROVED Agreement No. CM3-918-3199 with Cole & Associates, Inc., dba Cole Design Group, Inc., for consulting services related to an Americans with Disability Act (ADA) Transition Plan in an amount not to exceed $257,656.00.
APPROVED a contingency transfer in the amount of $257,656.00 from General Fund Non-Departmental Contingency to General Fund Non-Departmental Other Professional Services.

The City of Chandler sought a consultant to create a comprehensive Transition Plan, as required by Federal Law, including a Self-Evaluation that complies with current ADA standards. The purpose of the Transition Plan is to identify and recommend corrections to programmatic, building, and infrastructure obstacles that present full access to City programs and services.

The consultant will analyze City-wide and departmental policies pertaining to ADA accessibility and accommodations, and evaluate City buildings, parks and public rights-of-way with regard to access and barrier removal. As deficiencies are identified, the consultant shall include a tentative solution with cost estimates for corrective actions, including those that could place an undue administrative or financial burden on the City. In addition, the consultant will educate City Staff on the requirements of ADA throughout the evaluation. Staff and the consultant will insure the public is notified of this process and enlist feedback from the community during the process.

12. AGREEMENT AMENDMENT: American Telephone

APPROVED Agreement No. CS8-915-2526, Amendment No. 6, with American Telephone for NEC telephone system maintenance and support, equipment and services for one year, for a total contract amount not to exceed $194,225.00.

The City is in its sixth extension year with American Telephone. Service will be provided seven days a week, twenty-four hours a day, with a maximum two-hour response time for emergency and twenty-four hour response time for non-emergency outages. The agreement also includes a purchasing provision that enables the City to acquire equipment for upgrades and additions. As part of the 13/14 budget process, Phase II of the project to migrate the City's legacy desktop phones to Voice Over Internet Protocol (VoIP) phones was approved.

13. AGREEMENT: Crop Production Services & Helena Chemical Company

APPROVED Agreement No. PM4-967-3313 with Crop Production Services, Inc., and Helena Chemical Company for fertilizer, herbicides and pesticides in a combined total amount of $215,000.00 for one year with options to renew for four additional one-year terms.

14. PURCHASE: James, Cooke & Hobson, Inc.

APPROVED the purchase of Flygt pumps, Flygt replacement parts and Flygt pump service from James, Cooke & Hobson, Inc., sole source, in an amount not to exceed $395,000.00.

Municipal Utilities Water and Wastewater Divisions require an ongoing contract for the purchase and repair of Flygt brand pumps for special pumping applications at various City facilities. These pumps are submersible and used in extreme conditions in wastewater lift station and water treatment plant applications. The Flygt pump is used extensively throughout City Facilities based on longevity of operation, ability to repair, and excellent customer service provided by the distributor. The Flygt pumps are the only pumps that can be used without making major modifications to facilities. Furthermore, consistency with make and model in all facilities assures the ability to reduce parts inventory.

James, Cooke & Hobson, Inc. (JCH) is the only factory authorized distributor of Flygt pumps, replacement parts and pump service for municipal, commercial and industrial markets in the State of Arizona. Staff attempted to enter into contracts for Flygt products and service through a Request for Proposal (RFP) for water and wastewater equipment repair without success. The City has the ability to purchase Flygt pumps through the water and wastewater equipment repair contract; however, these vendors purchase the product from JCH and add a markup. This sole source allows the City to avoid the additional markup.

15. PURCHASE: Ti Training

APPROVED the purchase of a Training Lab Use of Force Simulator from Ti Training, sole source, in an amount not to exceed $60,950.00.

The City of Chandler Police Department is required to conduct Discretionary Use of Force and Use of Force Judgment Shooting scenario training and certification for each officer every year. The current system is 11 years old, requires expensive annual rehabilitation and is beyond its useful lifespan. The Training Lab Use of Force Simulator is a proven platform that incorporates all of the most current technology to provide the most realistic training possible for the price. This system allows officers to develop and train their use of force strategies based on video and force

feedback stimulation. All of the use of force tools can be simulated in this training environment to include pepper spray, baton, flashlight, X-2 Taser, pistol, rifle, less lethal shotgun, Pepperball launcher, and 40mm Sage gun. The Training Lab Use of Force Simulator has over 450 fully branching scenarios that respond based on instructor input and student responses. In addition, as a part of their support, they are committed to developing an additional 20-25 scenarios per quarter, which are provided to the users free for as long as the machine is in service.

Ti Training is the only vendor, at this time, to provide the ability to use the X-2 Taser, 20-25 new scenarios free every quarter for the life of the machine and Picture-in-Picture recording and feedback of officer actions. The X-2 Taser is the current equipment Chandler Police officers are issued and trained on.

16. PURCHASE: Creative Bus Sales

APPROVED the purchase of a 14-passenger wheelchair accessible bus from Creative Bus Sales, utilizing Mohave Contract No. 13N-0723, in the amount of $58,786.35.

In October 2013, the City of Chandler received $65,400.00 in grant money from the Gila River Indian Community for the purchase of a wheelchair accessible bus. The bus is being purchased to offer critically needed accessible transportation to disabled youth and adults and to senior citizens who wish to attend recreation programs that require transportation. These programs are instrumental in helping individuals in these population groups to have access to much needed opportunities for getting out of the house, socializing with peers, being physically active and participating in community events. Each year, the Therapeutic Recreation and Senior Center programs serve over 450 participants through such activities. The availability of an accessible vehicle will allow the City of Chandler the ability to offer equal access to recreation programs to participants who typically have limited opportunities for inclusion in such activities. In addition to a wheelchair lift, the bus will have hand railings and minor steps providing physical assistance and security to those who may have poor balance, weak knees, or other impairments that make it difficult and unsafe for them to utilize conventional vehicles.

17. PURCHASE: NEC

APPROVED the purchase of Cisco network equipment and professional services for the Redundant Internet Connectivity Project from NEC, utilizing the City of Tempe Contract No. IT11-048-01, in an amount not to exceed $156,120.00.

City services are becoming increasingly dependent on 24/7/365 connectivity to the Internet to provide expected citizen service results. Several applications are already totally hosted over the Internet with several more planned in the near future. Currently, the City has a single Internet connection through one provider, creating a risk for loss of service. During the FY 2013/14 budget process, a decision package was approved and funded to install a second Internet connection into City Hall which will provide a second entry into the City via a third party carrier for Internet connectivity. This connection will increase the Internet connectivity bandwidth available for providing City services and will allow for continued service in the event of failure of either of the City's two Internet connections.

18. USE PERMIT: Fierce Hair By Sacha

APPROVED Use Permit ZUP13-0031 Fierce Hair By Sacha, to operate a hair salon business in the Plaza Del Rey development zoned High Density Residential (MF-3), located at 497 W. Ray Road, Suite 2, SEC of Ray Road and Iowa Street. (Applicant: Larry Allen.)

BACKGROUND

The property is adjacent to multi-family developments on the south and east. The intersection of Ray Road and Iowa Street is developed with retail and office uses including a mini-mart, barber shop, restaurant, and a Sonic. Plaza Del Rey tenants are tax, accounting and insurance businesses.

The property is zoned High Density Residential (MF-3) which permits uses permitted by Use Permit that are compatible with other uses in the area and is consistent with the General Plan. Plaza Del Rey is accessed via driveways from Ray Road and Iowa Street. The site is approximately 0.41 acres with 3,612 sq. ft. of building area in five suites and was built in 1976.

Parking ratios for the tax and insurance offices follow the General Office category which requires one (1) parking space per 250 sq. ft. of floor area. The proposed hair salon is considered a Personal Service use with 1 parking space per 150 sq. ft. of floor area. Suites 1, 3, 4 and 5 are office uses comprising 2,805 sq. ft. and require 12 parking spaces. Suite 2 is the proposed hair salon of 807 sq. ft. and requires 5 parking spaces. There are 20 existing parking spaces which exceed the required total of 17.

The hair salon business will submit tenant improvements to accommodate a color and cutting room, waiting room and a washing station. The proposed business operator and one or two assistants would provide hair cutting, coloring, extensions and waxing to a maximum of two clients at a time. The hours of operation are 9 a.m. to 5 p.m. on Tuesdays and Wednesdays, 9 a.m. to 6 p.m. on Thursdays and 8 a.m. to 6 p.m. on Fridays and Saturdays. All clients are by appointment only.

DISCUSSION

Planning Staff supports the request finding the proposed use is a compatible addition to the existing office development. This type of use typically parks at a lower rate than office uses and operates with a minimal number of clients during normal business hours. The personal service business is consistent with the intent of the General Plan in that the business is compatible with the surrounding businesses and is a low traffic generator. Planning Staff is not recommending a time condition with this request.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 13, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Pridemore and Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the exhibits and representations.

2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the property owner.
4. The site shall be maintained in a clean and orderly manner.
5. The Use Permit is non-transferable to any other property.

19. LIQUOR LICENSE: Cheddar's Casual Café

APPROVED a Series 12 Restaurant Liquor License (Chandler #151430 L12) for Thomas Robert Aguilera, Agent, Cheddar's Casual Café, Inc., dba Cheddar's Casual Café, 2530 W. Chandler Boulevard. A recommendation for approval of State Liquor License #12079789 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Royal Buffet.

20. LIQUOR LICENSE: WinCo Foods

APPROVED a Series 9 Liquor Store Liquor License (Chandler #151523 L9) for Jason Morris Agent, WinCo Food LLC, dba WinCo Foods, located at the NWC of Arizona Avenue and Willis Road. A recommendation for approval of State Liquor License #09070006 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. The applicant's Use Permit through Transportation and Development was approved at the February 13, 2014, Council meeting.

21. TEMPORARY EXTENSION OF PREMISES: Fibber Magees

APPROVED a Temporary Extension of Premises for a Series 6 Bar Liquor License (Chandler #45077 L06) held by T. W. Steves LLC, dba Fibber Magees, 1989 W. Elliot Road, Suite 19. A recommendation for approval of a temporary extension of premises for State Liquor License #06070661 will be forwarded to the State Department of Liquor Licenses and Control. The extension is requested for a St. Patrick's Day Festival on March 17, 2014. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

22. FINAL PLAT: Ocotillo Landing

APPROVED Final Plat FPT13-0011 Ocotillo Landing, for a 62-lot single-family home residential subdivision located south of the SWC of McQueen and Ocotillo roads at the Brooks Farm alignment. (Applicant: Dan Auxier; EPS Group.)

BACKGROUND
This subdivision was approved by Council on January 23, 2014. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PROPOSED MOTION

Upon finding consistency with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

UNSCHEDULED PUBLIC APPEARANCES:

MR. RICHARD TRACY, 2238 S. Cottonwood Street, Mesa, cited his concern about the economy and lack of transit (light rail) in this area. Mr. Tracy submitted informational material to the Council.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny thanked staff for their support in promoting Budget Connect.
He recognized his wedding anniversary on February 28th, and noted Vice Mayor Heumann's anniversary is tonight.

The Mayor announced the Mayor's Fun Run will occur Saturday in conjunction with the parade to kickoff the Ostrich Festival.

The Fire Department and Police Department will each host an open house to the public.

The Mayor announced National Train Day and the Arizona Railway Museum will be hosting an event at Tumbleweed Park.

B. Councilmembers' Announcements

Councilmember Weninger asked support for Randy Walters, local business owner of Pittsburgh Willy's and Wimpy's Paradise who recently had surgery.

Councilmember Sellers thanked those involved for their assistance and support in his selection to the State Transportation Board.

Vice Mayor Heumann thanked the sponsors for their support and staff for their work on the Sci-Tech Festival. He wished his wife, Julie, a Happy 31st wedding anniversary.

Councilmember Hartke said as the weather changes, the weeds are prodigious and predominant and the 5th annual "Let's Pull Together" campaign has begun. Volunteers are being sought to help assist residents in need to keep compliant with code enforcement.

He announced the upcoming 3rd annual East Valley Mayors' Prayer Breakfast.

Councilmember Ellen encouraged participation in the Annual Life Walk for the Pregnancy Care Center.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:32 p.m.

ATTEST: _____ City Clerk _____ Mayor

Approved: March 13, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 27th day of February 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 18 day of March, 2014.

_____
City Clerk

MINUTES OF THE SPECIAL BUDGET WORKSHOP MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Thursday, March 13, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 5:35 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember
	Trinity Donovan	Councilmember
	Kevin Hartke	Councilmember
	Nora Ellen	Councilmember

MANAGEMENT SERVICES DIRECTOR DAWN LANG reviewed the General Fund balance projection. She stated this is the money that has accumulated over time and has helped maintain Chandler's AAA bond rating along with the City's strong financial policies. Staff estimates the fund balance, how much one-time funding will be available, and identifies the needs over the next 5 years.

She referred to the handouts provided as part of the packet and explained the 5-year General Fund Balance Projection. She noted that Lines 1-7 represent General Fund Balance Projections as well as new one-time money.

Ms. Lang stated $146,103,000 is the estimate for the beginning fund balance. Estimated one-time revenue is $14,640,200. Estimated department savings is 2,000,000. Impact Fee Loan repayments total $942,550. Total one-time funds available are at $163,685.750 for 2014-15.

Ms. Lang then reviewed the line items for Economic Development/Capital Projects beginning with the items listed in the Strategic Economic Development Reserve. Ms. Lang noted that $1.1 million was put in every year for unanticipated opportunities. Typically, most of it falls back into General Fund if not used. There is a total of $2,909,750 for Strategic Economic Development.

The Downtown Redevelopment Reserve contains estimated infrastructure improvements on Sites 6 and 7 at an estimated total of $5,040,000. She said after a plan is in place for development, then they would gradually move into capital projects.

MR. GREG WESTRUM, BUDGET MANAGER, outlined the projects in the General Funded CIP which includes facility and park improvements. He noted projects identified in Lines 22-25 are funded from the Infrastructure Maintenance Reserve.

VICE MAYOR HEUMANN asked if Line 28 – Rescue Vehicle in the amount of $200,000 was for one vehicle. CITY MANAGER DLUGAS responded that one vehicle would probably be about $175,000 or $180,000. Mr. Dlugas said if more was recommended it would need to come through a budget request.

COUNCILMEMBER WENINGER asked if Line 22 - Aquatic Facility Safety Renovations were maintenance or required by federal mandates. COMMUNITY SERVICES DIRECTOR MARK EYNATTEN said most of the money will be for replacement of older equipment and repair although some money is programmed every year for new regulations.

VICE MAYOR HEUMANN asked if the Washington Street project was for the actual design. Mr. Westrum stated this was for design and Transportation and Development has monies allocated in their CIP for the road work. ECONOMIC DEVELOPMENT DIRECOTOR CHRISTINE MACKAY added that there were still properties in the area to acquire. The Vice Mayor expressed his concern about proceeding with the design and letting it sit for several years as codes can change during that time. TRANSPORTATION & DEVELOPMENT DIRECTOR R.J. ZEDER reminded the Council that all purchases are voluntary purchases and not through condemnation.

COUNCILMEMBER SELLERS added that the importance of this could become more intense with the development that is occurring to the southeast.

VICE MAYOR HEUMANN asked if the Radio System project (Line 42) is a new system. Mr. Dlugas said the radios will be the same. It is the conversion that every city is part of and will allow police and fire to communicate.

Vice Mayor Heumann asked for a list of projects in the Capital Projects carry-forward in Line 52.

Ms. Lang said the projected amount total for Economic Development/Capital Projects is $49.9 million.

Ms. Lang reviewed the One-Time Operating. Ms. Lang explained these expenses could include fuel, miscellaneous one-time personnel costs, printing and an ADA study.

Ms. Lang said it had been reported to Council previously there were $4.6 million in budget requests from departments. She said after review the impact to general fund is approximately $3,383,339. She noted that historically, one-time decision packages have been about $3 million so that is the basis for projections for the future.

Ms. Lang referred to Item 58 – Transfer to Airport Enterprise Fund as that number is higher than usual. Many grants are received for the airport and this year there have been capital projects that have required general fund monies. Projects include the fuel tanks and security gate purchase. Although there is incoming revenue, they still are short on the operation.

VICE MAYOR HEUMANN expressed his concern of the continued support of the Airport as it is an enterprise fund. He asked what progress is being made to make the Airport self-sufficient. Ms. Lang replied that many municipal airports tend to have capital contributions, but believes that on the operating side you try to get those revenues to support the expenses. She said while there is a shortfall on the operating side, over the past four years she has seen it smaller than it has been in a long time.

The Vice Mayor asked what the number is on the ongoing side and is there a 1, 3 & 5 year plan. Ms. Lang said on average, looking at the last 7 months, the shortfall estimate in operating should be $155,000. In response to a question from the Vice Mayor, Ms. Lang said that does not include the monies expended for lawyers on litigation. Vice Mayor Heumann commented that was his concern. Although the airport has many opportunities, he is looking for an end plan.

COUNCILMEMBER ELLEN said while she understands those comments, there is some challenge in measuring the economic benefit and impact of the airport, and believes the benefit weighs far more than what the expenses are.

MS. LANG stated that the One-Time Operating total will be about $12.5 million and noted the Ending Fund Balance for FY2014-15 is $101 million. She noted that over the 5-year period it gets drawn down slightly because of the drawdown of the Infrastructure Maintenance Reserve and from the capital project needs; but then increases later due to the influx of the one-time money that we have coming in every year from the operating side. In addition, in the fifth year, there aren't many capital projects.

Ms. Lang then reviewed the estimates of the Contingencies and Reserves accounts.

MAYOR TIBSHRAENY asked Ms. Lang to explain the history of the percentage of General Fund Reserve as it was 15% when he was first serving on Council. Ms. Lang explained in 2005 it was reduced to 12%. An additional change occurred in 2010-11, as the secondary levy was taken out of the General Fund which reduced the amount the percentage was calculated on.

The Mayor expressed his desire to attain the 15% level again when the ability presents itself. Councilmember Weninger concurred.

Vice Mayor Heumann said to balance that you need to look at the amount you are basing the percentage calculation on and the importance of looking at the needs and the down side risks of things happening. Mayor Tibshraeny commented that as you grow your budget, your risks will increase.

Ms. Lang stressed what is critical is the "appropriated" contingency as the city is set at a maximum based on our total appropriation that can be spent in a given year.

In response to inquiries on the increase to the Reserve percentage, Mr. Dlugas and Ms. Lang said they would provide what the calculated amounts would be.

VICE MAYOR HEUMANN noted the Council Discretion Reserve was also put in place for protection. Ms. Lang noted that fund began in FY2010-11 and that is designated but not appropriated. Ms. Lang noted that there is the One-time Council Contingency of $325,000 and an on-going Contingency of $75,000 that is used during budget amendments.

Ms. Lang reported that $10 million was added to the Budget Stabilization Reserve in response to the State taking over the tax collection. A briefing will be given to Council on March 24th. Ms. Lang said the Budget Stabilization Reserve is based on policy that states it can be drawn from for a two period until the budget can be stabilized.

She explained Line 69 – Public Safety Early Hire Reserve was created as there are approximately 23 people that will "DROP" in 2016. They are planning for that and are now appropriating money for early hiring.

MR. WESTRUM said the Lump Sum Agreement Reserve is also new. This is when the developers deposit money with the city as required in the agreements. This is a way to appropriate it and when either the Transportation or Municipal Utility Department is ready to do that project, it can be used.

The Ambulance Reserve receives a portion of money per the ambulance contract and is used to buy emergency medical vehicles or medical purchases. COUNCILMEMBER WENINGER asked money comes in that offsets it. Mr. Dlugas said that is the money coming in from the ambulance contract that is put into a reserve that can be used for medical transport purposes or anything

having to do with that. He added that if the $200,000 was spent to buy a medical transport vehicle, the balance showing is what would remain.

Councilmember Weninger asked if this money was coming in on a regular basis, could it not be considered as on-going money. If so, and if each ambulance is staffed with a fire person, could you not use some of the money to offset the on-going money that is being spent.
Ms. Lang and Mr. Dlugas replied as long as the contract continues, that money will continue coming in at that level. Currently, the expenses are below the revenue.

COUNCILMEMBER HARTKE asked if programs related to public safety/fire could be run off of this money. Mr. Dlugas said he did not know. Ms. Lang said she believed the description assigned to the funding was "future CFD emergency medical service improvements".

MAYOR TIBSHRAENY cautioned that if the funds were used to fund the fire person that the City is paying for on the ambulance, and the contract ended there could be an extra person that would need to be covered by a new revenue source or with a new contract or that person will be out of work.

VICE MAYOR HEUMANN asked if extra firefighters were hired when this contract was entered in to. He believed the Fire Chief had reallocated resources. MR. Dlugas replied that was correct, additional bodies were not added.

MAYOR TIBSHRAENY clarified that now that person is tied to that revenue source, he believed that an argument could be made to use these funds to help offset the General Fund cost of that position.

VICE MAYOR HEUMANN asked to receive follow-up on what efficiencies have been gained with having a firefighter on the ambulance.

Mayor Tibshraeny asked for information on the legality of using this money on operations to help offset the taxpayers cost of the personnel. He asked if it could be used for purchasing a fire truck or fire support vehicle or other related capital costs within the fire department.

CITY ATTORNEY BIGELOW informed Council that the ambulance service contract provided the ability to put the ambulance in our fire station, the ability to dispatch the unit from there, and the reimbursement to the City for the cost of our employee on the ambulance. She added that the City's cost is received whether or not the money is collected from the patient. She believed we have the discretion internally how to expend those funds.

MAYOR TIBSHRAENY asked the cost of a fire truck. Mr. Dlugas and Ms. Lang both said about $500,000.

MR. WESTRUM explained that Line 75- Compensated Absences Reserve – was if all employees left and there was a payout of all annual leave (sick, vacation, comp time), this would be the calculation at 40%. In response to a question from the Mayor, Ms. Lang said cities do it differently, but in her opinion calculating at 40% is reasonable. Councilmember Weninger confirmed that if a normal retirement occurs during the year, it is not paid from this fund. Ms. Lang replied that is correct, it normally gets charged to the vacancy savings in that department.

MR. WESTRUM reviewed the Court Fund Reserves and said they are restricted and cannot be used for any General Fund purposes. Ms. Lang added that Court Enhancement and Judicial

Court Enhancement funds are regulated by the State, but the Domestic Violence Fund is designated by Council and there is about $300,000 in the fund.

In response to a question from the MAYOR, Ms. Lang explained there have been some small Decision Packages over the last few years from this fund. .

COUNCILMEMBER WENINGER asked if these funds could be used for prevention or enforcement. Ms. Lang said there is a very broad definition on the use.

MR. WESTRUM reviewed the Preliminary Capital Improvement Program.

He highlighted the General Government Cost Summary projects and noted the Vehicle Replacement Program has its own fund.

He stated the Museum Project has been scaled down and will be placed adjacent to the Price House. He highlighted the acceleration of four park sites over the next five years.

In regards to street repair, Mayor Tibshraeny asked staff's input on the current funding level for street repaving. MR. ZEDER replied the current funding would allow for 32 lane miles.

COUNCILMEMBER ELLEN asked if there was a Light Rail Study planned. Mr. Zeder said staff is having conversations with the City of Mesa, as that is where the extension of the rail would begin. He said the hope is to use LTAF monies. Mr. Zeder said he would check with Mesa to see how they structured their funding.

COUNCILMEMBER WENINGER referenced the Flashing Yellow Arrow Installation and suggested more education be made to the public on those.

RECESS: Mayor Tibshraeny recessed the meeting at 6:58 p.m. and reconvened the meeting at 7:45 p.m.

Ms. Lang noted that Proposition 117 was approved by voters in 2012 and FY2015/16 is the pivotal year when Prop. 117 goes into effect. Prop. 117 limits the valuation of appreciation to 5% plus new development, and creates a single limited property value for both primary and secondary property tax. She commented that until staff knew what the projection was for the following year, it was difficult to determine what that limited property value would be.

She stated they have been told the Full Cash Value (market value) for single family homes in Chandler is projected to increase by 25.7% and commercial properties are increasing about 15.75%.

She added that when you shift the Limited Assessed Value over to the secondary, then it pretty much offsets the increases. It has slightly changed the prior projection of being able to reduce the rate by .09 cents.

She said the current year, FY2013-14, is the final year of decreases in assessed value. She said the Primary Value (Limited Cash Value) will increase 5.6% and Secondary (Full Cash Value) will increase by 9.5%.

She said from the information they are receiving from the Assessor, the projection of the Limited Value will be about $2.365 billion for both Primary and Secondary rate calculations.

The anticipated impact of converting to Limited Property Values for FY2015-16 is the Secondary rate will decrease slightly by -0.70%.

She stated the recommendation is no change in the current Primary Rate of $0.3292 / $100 Assessed Valuation. The Secondary Rate recommendation is to decrease it by $0.0622 / $100 of Assessed Valuation. The proposed combined rate would be of $1.2092 / $100 of Assessed Valuation. This will allow the continuation of debt service payment.

The City Council will hold a Budget Meeting on May 2, 2014.

Adjournment: The meeting was adjourned at approximately 7:58 p.m.

ATTEST: _____ _____
City Clerk Mayor

Approved: March 27, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting of the City Council of Chandler, Arizona, held on the 13th day of March 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 31 day of March, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, March 13, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:05 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

Mayor Tibshraeny asked for a moment of silence in remembrance of Phoenix Police Officer John Hobbs who lost his life in the line of duty on March 3, 2014.

INVOCATION: Pastor Terry Lamberth, Cornerstone Christian Fellowship

PLEDGE OF ALLEGIANCE: Councilmember Hartke led the Pledge of Allegiance.

SCHEDULED PUBLIC APPEARANCES: Mayor Tibshraeny and the Chandler City Council welcomed the delegation from Tullamore Ireland. The delegation included: Mayor Paddy Rowland, Vice Mayor Tony McCormick, and Town Manager Declan Kirrane. Also present, Sacred Heart Principal Pauline McKenna and Vice Principal Orla Healy. Also present were members from the Chandler-Tullamore Sister Cities Board: President Ellen Harrington, Sharon Anderson, Barb Olivieri, Jill Johnson, Patricia Prior, and Carol Venberg. Mayor Tibshraeny announced there were several students from Tullamore and students from Seton High School here in Chandler Arizona who have formed their own long distance relationship. Mayor Tibshraeny then read the proclamation recognizing the collaboration between the two cities in exploration of economic opportunities and diverse culture experiences and proclaiming March 13, 2014 as "Tullamore Day" in Chandler Arizona.

Mayor Rowland presented a brief history on Tullamore, its culture, tourism, economy, and how the Phoenix became their Coat of Arms. Mayor Rollin then presented the Chandler City Council with gifts representative of Tullamore and Ireland.

CONSENT:

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER ELLEN, TO APPROVE THE CONSENT AGENDA AS PRESENTED, NOTING ITEM NO. 4 WAS CONTINUED TO MARCH 27TH.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Minutes:

1a. Special meeting of February 24, 2014.
1b. Budget Connect Meeting of February 27, 2014.
1c. Regular Meeting of February 27, 2014.

2. RIGHT-OF-WAY VACATION: NWC Gilbert Road and Chandler Blvd. Ord. #4469

ADOPTED Ordinance No. 4469 repealing Ordinance No. 3996 and authorizing the vacation of a portion of road right-of-way at the NWC of Gilbert Road and Chandler Boulevard of approximately 14,563 sq. ft., conditioned upon receipt of $78,566.00 plus closing expenses, if any, and reserving an easement of 1,500 sq. ft. for a future City monument sign.

3. ANNEXATION: NWC Riggs and Lindsay Roads Ord. #4526

ADOPTED Ordinance No. 4526 annexing approximately 19 acres located west of the NWC of Riggs and Lindsay roads.

4. PROPERTY SALE: SWC Gilbert and Ocotillo Roads Ord. #4527

CONTINUED TO MARCH 27, 2014 CITY COUNCIL MEETING. Ordinance No. 4527 authorizing the sale of approximately 31.22 acres of City-owned property at the SWC of Gilbert and Ocotillo roads to DeRito Partners Development, Inc., for $8,647,334.00; authorizing the Recapture Agreement; and authorizing the City Manager or his designee to execute all relevant documents.

5. PROJECT AGREEMENT AMENDMENT: MAG Res. #4738

ADOPTED Resolution No. 4738 authorizing the first amendment to the project agreement with Maricopa Association of Governments (MAG) for the advancement of regional reimbursement for the construction of McQueen Road (Ocotillo Road to Chandler Heights Road), in the amount of $3,895,652.00, to 2013.

BACKGROUND / DISCUSSION
The original project agreement is for reimbursement of Proposition 400 funds to the City of Chandler for design, right-of-way, and construction for McQueen Road (Ocotillo Road to Riggs Road). Reimbursement was originally programmed in 2017, 2018, 2019 and 2020. This project involves street widening improvements to McQueen Road (Ocotillo Road to Riggs Road).

This advancement of the reimbursement of Proposition 400 funds to 2013 is for the construction of the portion of McQueen Road from Ocotillo Road to Chandler Heights Road. These advanced Proposition 400 funds are federal Surface Transportation Program (STP) funds that required obligation of the funding in federal fiscal year 2013, which has already been completed. The construction of this project will start in the summer of 2014.

FISCAL IMPLICATIONS
This first amendment advances reimbursement for the Ocotillo Road to Chandler Heights Road portion to 2013 for a revised regional reimbursement of $3,895,652.00 and may be adjusted annually for inflation, in accordance with MAG policies. Because the construction of this project has been accelerated, there is no grant appropriation specific for this project in the current fiscal

year. The grant appropriation authority will be transferred from the Chandler Boulevard/Alma School Road intersection project. The construction was pushed back from Fiscal Year 2015 to Fiscal Year 2016 and from the Street Construction/Various Improvements project where a grant appropriation for un-anticipated grants is carried. This will allow the project to start construction this year with reimbursements starting immediately thereafter.

6. PROJECT AGREEMENT: CH2M HILL Engineers, Inc.

APPROVED Project Agreement No. WA1411-201 with CH2M HILL Engineers, Inc., pursuant to Annual Contract No. EN1308-101, for the Hahn Water Production Facility Rehabilitation Design Services, in an amount not to exceed $283,234.00.

7. PROJECT AGREEMENT: CH2M HILL Engineers, Inc.

APPROVED Project Agreement No. WW1411-201 with CH2M HILL Engineers, Inc., pursuant to Annual Contract No. EN1308-202, Water and Wastewater Facility Arc Flash Updates, in an amount not to exceed $361,771.00.

The National Fire Protection Association and the 2011 National Electrical Code require routine training and reoccurring safety program audits of electrical equipment. The training and audits ensure safe work practices, procedures and personal protective equipment for personnel who may be exposed to energized equipment.

The project scope of work includes arc flash evaluation, development of electrical system models, calculations, preparation of reports and installation of arc flash warning labels. Forty-one water facilities and forty wastewater facilities will be evaluated. The project will also provide training to the department's Safety Coordinator to encompass aspects of the arc flash evaluation conducted, details of the labels provided, and regulations as they apply to the energized work at electrical equipment.

8. PROJECT AGREEMENT: Stantec Consulting, Inc.

APPROVED Project Agreement No. WW1412-201 with Stantec Consulting, Inc., pursuant to Annual Contract No. EN1211-101, for Hillcrest Recovery Well Equipping Design Services, in an amount not to exceed $162,472.00.

The Hillcrest Well was originally drilled in February 2005. The well site is located north of Riggs Road between Val Vista Drive and Lindsay Road. Due to high arsenic levels, the well was not equipped for potable use. It has since been determined the well can be repurposed as a recovery well to supplement the reclaimed water system during peak demand periods.

9. PROJECT AGREEMENT: Southwest Ground-water Consultants, Inc.

APPROVED Project Agreement No. WA1405-451 with Southwest Ground-water Consultants, Inc., pursuant to Annual Contract No. EN1203-101, for Riggs Road Well Construction Management (CM) Services, in an amount not to exceed $86,770.00.

The 2008 Water Master Plan recommends 74.5 million gallon per day (MGD) build-out capacity for groundwater wells. As the City's groundwater wells age, well production will decrease over time. To maintain the required capacity, new replacement wells are needed. The new well,

known as the Riggs Road Well, will be located north of Riggs Road between Gilbert and Lindsay roads.

10. OFFSITE LUMP SUM AGREEMENT: DR Horton, Inc.

APPROVED an offsite lump sum agreement with DR Horton, Inc., deferring the construction of the median on Chandler Heights Road as a condition of their development and accepting a lump sum payment of $26,882.36.

BACKGROUND / DISCUSSION
As a condition of development, Southshore Village Subdivision, located at the east/northeast corner of Chandler Heights Road and Arizona Avenue, deferred roadway work on Chandler Heights Road adjacent to their property. Construction of the median on Chandler Heights Road was deferred in lieu of a lump sum payment of $26,882.36 made to the City. This agreement is intended to cover the cost of the work. A lump sum agreement was used to secure their financial obligation to the City for the deferred work as well as release the developer from any future obligations for the improvements.

FINANCIAL IMPLICATIONS
The funds have been received from the developer and are being held in an interest bearing account to use for the future construction of Chandler Heights Road.

11. CITY PARTICIPATION AGREEMENT: Ashton Woods Arizona, LLC

APPROVED City Participation Agreement No. CP13-001 with Ashton Woods Arizona, LLC, for the design and installation of the City well site infrastructure adjacent to the Jacaranda Subdivision in excess of their offsite improvement obligation at a cost to the City in an amount not to exceed $58,555.00.

BACKGROUND / DISCUSSION
The 2008 Water Master Plan recommends 74.5 million gallon per day (MGD) build-out capacity for groundwater wells. As the City's groundwater wells age, well production will decrease over time. To maintain the required capacity, new replacement wells are needed. The new well, known as the Riggs Road Well, will be located north of Riggs Road between Gilbert and Lindsay roads.

A residential subdivision, Jacaranda Place, is being developed on the northwest corner of Riggs Road and South 142nd Street by Ashton Woods Arizona, LLC. The Riggs Road Well infrastructure will extend through the limits of the offsite improvements to 142nd Street and exceeds their development obligation. The City requests the developer design and install the necessary well site infrastructure including electrical and water lines in south 142nd Street in an amount not to exceed $58,555.00.

12. CONTRACT EXTENSION: Ritoch-Powell & Associates

APPROVED Contract No. EN1002-101 extension with Ritoch-Powell & Associates, for civil design and platting services, for one year, in an amount not to exceed $200,000.00. This is the third of four optional one-year extensions.

13. CONTRACT EXTENSION: Sunrise Engineering

APPROVED Contract No. EN1004-101 extension with Sunrise Engineering for civil design and platting services for one year in an amount not to exceed $1,500,000.00. This is the third of four optional one-year extensions.

14. CONTRACT EXTENSION: SDB, Inc.

APPROVED Contract No. JOC1201-401 extension with SDB, Inc., for general construction services for one year in an amount not to exceed $1,500,000.00. This is the second of four optional one-year extensions.

15. CONTRACT EXTENSION: Chasse Building Team, Inc.

APPROVED Contract No. JOC1201-401 extension with Chasse Building Team, Inc., for general construction services for one year in an amount not to exceed $100,000.00. This is the second of four optional one-year extensions.

16. CONTRACT EXTENSION: CORE Construction, Inc.

APPROVED Contract No. JOC1203-401 extension with CORE Construction, Inc., for general construction services for one year in an amount not to exceed $100,000.00. This is the second of four optional one-year renewals.

17. CONSTRUCTION CONTRACT: Layne Christensen Co.

APPROVED Construction Contract No. WA1405-401 with Layne Christensen Co., for the Riggs Road Well in an amount not to exceed $1,160,000.00

BACKGROUND / DISCUSSION
The 2008 Water Master Plan recommends 74.5 million gallon per day (MGD) build-out capacity for groundwater wells. As the City's groundwater wells age, well production will decrease over time. To maintain the required capacity, new replacement wells are needed. The new well, known as the Riggs Road Well, will be located north of Riggs Road between Gilbert and Lindsay roads.

18. CONSTRUCTION CONTRACT: Nickle Contracting, LLC

APPROVED a construction contract with Nickle Contracting, LLC, for Centennial Park Construction, Project No. PR0810-401, in an amount not to exceed $1,228,961.66.

19. PURCHASE: Office Supplies

APPROVED the purchase of office supplies, utilizing the National Intergovernmental Purchasing Alliance (National IPA) Contract with Office Depot/Max and the City of Mesa contract with Wist Office Products, in a combined total amount not to exceed $200,000.00.

20. LIQUOR LICENSE: Circle K Store #5301

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #151453 L10) for Kim Kenneth Kwiatkowski, Agent, Circle K Stores, Inc., dba Circle K Store #5301, 6015 S. Arizona Avenue. A recommendation for approval of State Liquor License #10076485 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no

objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. The applicant's Use Permit through Transportation and Development was approved at the December 12, 2013, Council meeting.

21. SPECIAL EVENT LIQUOR LICENSE: Valley Unitarian Universalist

APPROVED a Special Event Liquor License for Valley Unitarian Universalist for the VUU Heart and Hand Auction, March 29, 2014, at the Chandler Valley Unitarian Universalist Church, 6400 S. Del Rio Street. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

22. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Chandler Jazz Festival, April 4 & 5, 2014, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

23. SPECIAL EVENT LIQUOR LICENSE: ICAN

APPROVED a Special Event Liquor License for ICAN for the Sip & Sizzle, March 26, 2014, at the Connect 5 Family Center, 222 E. Warner Road, Suite 5. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

24. FINAL PLAT: La Valenciana

APPROVED Final Plat FPT13-0022 La Valenciana, for a 58-lot single-family residential subdivision at the NEC of Cooper and Pecos roads. (Applicant: Bowman Consulting.)

BACKGROUND
This Final Plat is for a single-family residential subdivision located north and east of the northeast corner of Pecos and Cooper roads and was approved by Council in September 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval.

25. FINAL PLAT: Fire Rock Ranch

APPROVED Final Plat FPT13-021 Fire Rock Ranch, for 135 single-family residential lots on approximately 23.5 acres located at the NWC of Chandler Boulevard and Gilbert Road. (Applicant: Dan Auxier; EPS Group.)

BACKGROUND
This Final Plat is for a single-family residential subdivision located at the northwest corner of Chandler Boulevard and Gilbert Road and was approved by Council in 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny thanked the Tullamore delegation for coming to Chandler and wished them a successful trip.

The Mayor announced the upcoming Sr. Expo on Wednesday, March 19th, from 9:00 a.m. to noon at the Chandler Community Center, 125 E. Commonwealth Ave. hosted by the Mayor's Committee for the Aging. The Senior Expo is free and open to the public. There will be free blood pressure checks and a limited number of free cholesterol and glucose tests for attendees on a first come, first served basis.

He announced the Chandler firefighters are again asking residents to join them in a door-to-door campaign through local neighborhoods to help prevent water related tragedies in the community. The campaign will kick off on Saturday, March 29th, when volunteers will meet at 9:00 a.m. at Desert Oasis Aquatic Center

The Macy's "Heart Your Park" Campaign is underway. Macy's and the National Recreation and Park Association are inviting Chandler residents to "give a little love" to their local parks by making an in-store donation this month. Macy's will match the total customer donation across all stores, dollar for dollar, up to $250,000 through March.

The Mayor reminded Council of the Special Council meeting Friday morning at 10:00 a.m. to be held in the Council Conference room.

B. Councilmembers' Announcements

COUNCILMEMBER WENINGER thanked the Tullamore delegation for coming and wished everyone a Happy St. Patrick's Day.

COUNCILMEMBER HEUMANN announced the Chandler Relay for Life on May 2nd. Teams are still in the process of being created. This event is held at Basha High School and is one of the State's largest fund raisers.

On April 8th at the Chandler Center of the Arts, the Holocaust Era Railcar will be on display and tours will be from 4:00 – 6:00 p.m. A Naturalization Ceremony will take place at 5:00 p.m., and then a movie on the liberation of the concentration camps.

COUNCILMEMBER HARTKE announced the robotics competition at Hamilton High School on March 21st and 22nd.

The Desert Cancer Foundation is holding their annual wine tasting and silent auction event on April 6th at the Crown Plaza in downtown Phoenix from 4:00 – 6:30 p.m.

He just returned from the National League of Cities and Towns conference held in Washington D.C. where he heard many cities from across the country describe the financial hardships they are still struggling to overcome. He is appreciative of Chandler's diligence in fiscal responsibility and is very proud to be a resident of the City of Chandler.

COUNCILMEMBER ELLEN welcomed the Tullamore delegation to Chandler. She announced Chandler Airport Days and car show on April 5th and 6th at the Chandler Airport. The event is free and open to the public.

She sent out her condolences to Phoenix Police Officer John Hobbs wife and family, and sent well wishes to Detective Albert Casado who is recovering from the shooting.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:36 p.m.

ATTEST: _____ _____
City Clerk Mayor

Approved: March 27, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 13th day of March 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27th day of March, 2014.

City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held at on Friday, March 14, 2014 in the Council Conference Room, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 10:01 a.m.

The following members were present:

Jay Tibshraeny	Mayor
Rick Heumann	Vice Mayor (telephonic)
Jack Sellers	Councilmember (telephonic)
Kevin Hartke	Councilmember

Also present: City Clerk Marla Paddock, Asst. City Attorney Tom Lloyd, Budget Manager Greg Westrum.

TEMPORARY EXTENSION OF PREMISES: Fat Willy's Family Sports Grill

Temporary Extension of Premises for State Liquor License #12079030, Series 12 Liquor License held by Fat Willy's Chandler LLC, dba Fat Willy's Family Sports Grill, located at 4850 S. Gilbert Road, and extension of premises for the City of Chandler Liquor License No. 140076. The period of the extension is March 15 through March 17th for a St. Patty's Day Parking Lot Party.

A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Services.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY VICE MAYOR HEUMANN TO APPROVE THE TEMPORARY EXTENSION OF PREMISES FOR FAT WILLY'S. MOTION CARRIED UNANIMOUSLY (4-0)

Adjournment: The Mayor adjourned the meeting at 10:04 a.m.

ATTEST:

City Clerk

Mayor

Approval Date of Minutes: March 27, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on March 14, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 31 day of March 2014

City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held at on Monday, March 24, 2014 in the Council Conference Room, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 6:04 p.m.

The following members were present:

Jay Tibshraeny	Mayor
Rick Heumann	Vice Mayor
Jack Sellers	Councilmember
Kevin Hartke	Councilmember
Jeff Weninger	Councilmember
Trinity Donovan	Councilmember
Nora Ellen	Councilmember

Also present: City Clerk Marla Paddock, City Attorney Kay Bigelow, Budget Manager Greg Westrum, Mgmt. Services Director Dawn Lang, City Manager Rich Dlugas, Asst. City Manager Marsha Reed, Intergovernmental Affairs Coordinator Patrice Kraus, Revenue and Tax Manager Matt Dunbar.

MS. DAWN LANG, Management Services Director, stated that it was their intent to update the elected body on the effects of HB2111, State Administration of Transaction Privilege Sales Tax, and HB 2389 that also relates to this change.

Ms. Lang stated that while all the cities and towns in Arizona are affected, more directly are the 18 self-collecting non program cities.

She explained that currently, the Arizona Department of Revenue (DOR) collects 23% of the cities TPT taxes statewide. This bill will increase their collections to include the other 77%. She commented that is a tremendous increase in workload before January 1, 2015 effective date.

In response to a question from Councilmember Donovan, MS. KRAUS explained the Senate budget includes $1 million this year and for each of the next two years. She clarified that all taxpayers pay the state portion of their taxes to the DOR. This is just adding the cities portion – 77% of the cities collection.

COUNCILMEMBER WENINGER asked about the infrastructure needed to facilitate a payment from the DOR to the city. MS. KRAUS said she did not know if infrastructure was needed for that, but the importance of remitting money to the city as soon as possible has been stressed. MS. LANG added that probably would not be done on a daily basis, although it hasn't been concluded, it would be preferred to be in the shortest time as possible. MS. KRAUS said concerns have been expressed to DOR on cash flow issues. Members of the City Council expressed their concerns with the amount allocated to upgrade the DOR computer system to the potential expense actually needed.

MS. LANG added the DOR has made a hire for a Project Manager, several programmers and temporary staff. She stated there have been several working groups formed to assist with the implementation.

She reported the three main areas affected by HB 2111 are Audits, Prime Contracting, and Privilege Tax Administration.

MR. MATT DUNBAR explained the Tax Division staff would now be performing audits on behalf of the State of Arizona. City auditors would require training from the DOR on procedures. If a business is only located in the city, the City could audit that business. If that business has a location in another city in addition to Chandler, the City would require approval from the State to perform that audit. The specific process is being identified.

In response to a question on corporations and multiple locations of businesses, Mr. Dunbar explained each entity would be looked at on an entity basis. All the businesses owned by that "entity" will be audited. If they are multi-jurisdictional, approval will be needed from the State for all locations that the entity owns. If there was a penalty owed, it is based on where the tax is due. Mr. Dunbar said many issues such as responsiveness to issues, will be addressed in the Intergovernmental Agreement.

He highlighted the progress being made with the Audit Process:

- Audit Manual has been created and is in final review stage.
- Software testing and auditor training in September
- Creation of audit letters, notifications and audit manual has begun
- Create processes for audit selection to be completed
- Create desk review manual to be completed
- Begin the IGA process in May with the State
- Taxpayer education

COUNCILMEMBER DONOVAN asked about rental properties and if an individual had rentals in multiple jurisdictions, but didn't have a company how they are defined. MR. DUNBAR said they are considered an "entity". If they have rental properties in multiple locations, they would be under audit in multiple locations and approval from the State would be sought to perform the audit. Councilmember Donovan asked how that would be known. Mr. Dunbar said a search would be conducted through the Recorder's office. She noted that currently, Chandler would not have to seek that information.

MR. DUNBAR reviewed the Construction / Contracting Tax. He said basically what has been done is they have taken trade, repair or replacement type contractors and excluded them from privilege tax on a gross receipt. He gave an example of an electrician installing a ceiling fan. The customer would pay the tax when purchasing the ceiling fan at the retail store and there would be no tax on the trade-type contracting. He said currently there is a tax on materials and labor.

He noted that Exemption Certificates for new construction will now being based on a project. He stated the State is currently drafting a plan on how to manage this. Currently, the exemption certificate is online and can be printed out. Under the new requirements, the contractor will have to go to the State, give them information on the project and obtain the exemption certificate.

He reviewed the Prime Contracting timeline.

VICE MAYOR HEUMANN asked who or what would be the determining factor in deciding if the switch over is not ready. MS. KRAUS said in talking to the League staff, they have set an internal date in June where key testing and stress testing need to be complete and what the delay may

be. Ms. Kraus said she believed at the State level, the Governor's office would probably need to make the decision.

Mr. Dunbar reiterated the need for taxpayer education to explain the changes.

Discussion ensued on the amount of information and at what level of detail will the tax files be transferred from the State. MS. LANG said the City will need software in place to be able to decipher this data. She noted the good news is the staff knows the revenues and trends and knows what to look and watch for. She said there will be mistakes and they will be diligent in looking for that.

MR. DUNBAR said the Privilege Tax Administration impacts Chandler significantly. The DOR will receive, process and collect the applications and payments for the City of Chandler. They have heard that while there could be weekly payments from the DOR, there is a lag of 2-3 weeks from the date they deposit the check. DOR will also provide an online reporting system so taxpayers can pay taxes. It is currently being offered at the State level and for the program cities; however, they will need to add the non-program cities.

MAYOR TIBSHRAENY noted that the Town of Gilbert was probably the biggest municipality currently on the system and asked if Gilbert had an audit department. MR. DUNBAR replied they have had a small audit department for about 2 years. The have two auditors with plans to add another.

Mayor and Council members expressed concern with lag time in any of the processes. MS. LANG said currently the city deposits within 1-3 days. She said this is a significant change and will cause a big cash flow issue when this goes live and has to be planned for. She said the Budget Stabilization Reserve could be put into play.

MR. DUNBAR reviewed the tasks and progress with the administration. He noted currently the State has six budgeted license inspectors for the State of Arizona, and currently there are only three people in those positions. The DOR is very interested in partnering with the cities.

In response to a question from Councilmember Donovan on non-profits, MS. LANG noted that the State only issues licenses for those businesses that pay taxes. The City of Chandler issues licenses to every business regardless of whether taxes are paid. The City will lose the ability to track each of those individual businesses. She stated they would explain more later in the presentation. Ms. Lang said extra effort has been made to match databases in the State system with the different codes for each tax categories. MR. DUNBAR added that 80% of Chandler's tax comes from the top 300 taxpayers. 90% comes from the top 700 taxpayers. The goal will be to verify the top 90% of the tax coming in and ensuring the State has them on the record.

Mr. Dunbar reviewed the changes proposed by HB 2389 that help to resolve issues such as confidentiality, annual renewals, location based reporting, online filing requirements, and State collection on residential rental TPT.

RECESS: The Mayor recessed the meeting at 6:59 p.m. and reconvened at 7:55 p.m.

MS. KRAUS said the question was asked about who or what entity would decide when to "go live" and Ms. Kraus said there was language inserted in the House Bill that states that collections aren't turned over until they (DOR) can demonstrate they can provide the data that is needed by

the cities. She said she hoped there would be consensus among those involved to make that decision.

Ms. Lang addressed the areas of concern and noted the dates listed have been verbally committed to by the DOR to the League of Cities. She stated the post-implementation areas of concern is revenue loss and reduced cash flow through increased non-payment of collections, increase noncompliance, and confusion in construction contracting and the availability of detailed taxpayer data.

Ms. Lang emphasized the need to continue communicating needs among the parties involved in conjunction with monitoring checkpoints and deadlines. She stated the implementation of a Chandler business license to ensure compliance with the City Code will also be critical.

She stated post implementation it will be equally important to monitor revenue, taxpayer compliance and to provide license inspection assistance.

Adjournment: The Mayor adjourned the meeting at 8:21 p.m.

ATTEST:

City Clerk

Mayor

Approval Date of Minutes: April 10, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on March 24, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 14 day of April 2014

City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, March 24, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:32 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Marsha Reed	Assistant City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	Recording Secretary

PUBLIC HEARING:

PH1. Modified System Development Fees

The Mayor opened the public hearing at 7:33 p.m.

Memo Background:
In order to continue to collect System Development Fees after August 1, 2014, the City must comply with Arizona Revised Statue §9-463.05, which includes conducting a Public Hearing on the recommended fees included in the final draft of the System Development Fee Update prepared by the consulting firm of Duncan and Associates. The Public Hearing process provides citizens and other stakeholders with the opportunity to address Council to either support or express concerns about the modified system development fees shown in the report.

System development fees are designed to provide funding to a community for the cost of expanding infrastructure required to support new development. If these fees are not maintained at the proper level, the City may have to provide additional General Fund support for growth-related capital projects.

DISCUSSION:

DAWN LANG, Management Services Director, briefly highlighted some of the accomplishments implemented by the City Council related to Senate Bill 1525 which was passed by the legislature in 2011.

She stated the presentation was divided into two parts: part one would be covered by the consultant Clancy Mullin, of Duncan and Associates, who would provide an overview on the basis of the proposed fees and part two would be covered by Julie Buelt, Sr. Financial Analyst who would discuss some of the fees and their impact on various types of development.

CLANCY MULLIN provided a brief overview of the fee study, the Infrastructure Improvement Plan (IIP). The purpose of system development fees is to pay for projects related to growth. This is a mix of both new improvements and past improvements which were created to accommodate future growth yet may still have outstanding debt. Fees were calculated using the same methodology as in 2008 with a few changes to accommodate the new law related to impact fees.

Mr. Mullin highlighted arterial street fee where significant changes were made. The old calculation relied on the number of peak hour trips generated per day. The new update takes into account the number of pass-by trips and the length of those trips. This reduced the fee amount significantly for non-residential development. Because of this one of the recommendations of the study is for the City to consider eliminating the City's general fund subsidy for retail and office developments. The updated fees are actually lower than the subsidy fees. For the Utility fees, their firm had not performed that study in the past, so they used the same methodology they used for the retail and office development. While most of these fees are uniformly down compared to current fees, utility fees are slightly increasing.

JULIE BUELT then addressed examples based on the variety of land use. She covered the development fees for the following land use types: Single Family, Multi-Family, Retail, industrial, and institutional. She reviewed the percentage of costs covered by revenues over the next 10 years for this category.

The second category she covered was Police, libraries and public buildings. The City is only collecting debt at this time; they have made all the capital expenditures for these facilities at this time. As build out occurs, then collection on those fees will occur.

The third category covered was Utility Fees. These are collecting at a bit higher rate. This is because this category has more capital expenses occurring in the next 10 years.

This report and the costs will be updated in 5 years as stipulated by this legislation.

DAWN LANG then provided the finale update with the timeline to adopt the fees. She stated that on April 24th they plan to have Council introduce the Ordinance to modify the System Development Fees, then on May 8th the final adoption of the Ordinance. On July 28th the fees will become effective.

VICE MAYOR HEUMANN inquired with Park Fees decreasing, how that will affect park build outs.

JULIE BUELT stated that over the 10 year Capital Improvement Budget all the remaining neighborhood parks projected for since the total acreage is no more than 30 acres. There are two developments which have parks yet to be completed or developed. The City is limited on these community parks because they are too large to be funded by System Development Fees.

There were no further comments received from the audience.

The Mayor closed the public hearing at 7:49 p.m.

Adjournment: The meeting was adjourned at approximately 7:49 p.m.

ATTEST: _____ _____
City Clerk Mayor

Approved: April 10, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 24th day of March 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 14 day of April, 2014.

_____
City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held at on Thursday, March 27, 2014 in the Council Conference Room, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 6:03 p.m.

The following members were present:

Jay Tibshraeny	Mayor
Rick Heumann	Vice Mayor
Jack Sellers	Councilmember
Kevin Hartke	Councilmember
Jeff Weninger	Councilmember
Trinity Donovan	Councilmember
Nora Ellen	Councilmember

Also present: City Clerk Marla Paddock, City Attorney Kay Bigelow, City Manager Rich Dlugas.

MAYOR TIBSHRAENY said this was the time set for the City Council to meet with employee organizations to hear unresolved issues or areas of dispute regarding negotiating memorandums of understanding pursuant to Chandler City Code.

The Mayor called upon representatives of CLASA (Chandler Lieutenants and Sergeants Association). Mayor noted there was a handout provided Staff. Representatives from CLASA were not present. Mayor Tibshraeny confirmed with the City Manager that the representatives were made aware of the meeting date during negotiations.

Mayor called upon representatives from United Phoenix Firefighters I.A.F.F. Local 493 Chandler Chapter.

MR. ROBERT ISAACSON, President, expressed appreciation for the opportunity. He stated that negotiations have gone pretty well and just today, it was agreed upon to do a labor management process to address health care concerns. He stated there are two staff proposals on the table that have not been able to be agreed upon – merits and total compensation.

He explained merit itself is not an issue, but the concern is it is coupled with the total compensation language. He said as they have issues with total compensation language, there is not a final agreement on merits.

In regards to total compensation, Mr. Isaacson said he believed it was seven years ago when Fire presented a total compensation proposal to staff. At that time, meet and confer was new and they were told there was not too much interest. Last year, staff provided a proposal on defining total compensation and Fire countered with a proposal. He said those did not make it to Council as there were other M.O.U issues being worked out in regards to the implementation of the 4th position.

He stated based on discussions last year, their organization came forward ready to address concerns with total compensation this year. Mr. Isaacson said staff stated at the start of negotiations there was no interest in negotiating with the definition of the total compensation package. Mr. Isaacson expressed concern as there was no ability to give input and they have been able to negotiate and come to mutual agreement on other issues. He said two other bargaining units had previously agreed with the language so he was told there was not an interest

in having a different language. He said the meet and confer process was designed to try to address individual group needs. He understands the need to keep consistency but is concern that they weren't in the room when the discussions occurred.

He presented the City Council with Fire's total cash compensation proposal handout. He said the total comp presented by staff was wages, health care trust fund, deferred comp, RHS (retirement health savings) and special merit.

He stated his concern is that the items included in "total compensation" are not true representation. He commented when you try to compare them to other cities they are not equal as not everyone gets the same product.

He stated the areas they feel need to be accomplished for this to be viable are: the information has to be easily attainable; it has to be uniform among the eight cities - he doesn't believe the current proposal addresses that; and lastly, both parties have to agree that the data that is represented represents what the city offers.

He noted Fire's proposal includes the column "City PSPRS (Public Safety Personnel Retirement System) % Contribution" and noted it is based on percentage. Any amount given that is pensionable will raise this number. Mayor Tibshraeny questioned the percentage listed at 11.84%. Mr. Isaacson said the percentage for the firefighters is 23%, but he would explain the number listed.

He stated there is an independent third party doing an actuarial for the eight cities. He said the percentage shown on Fire's proposal is what is called "normal cost" on the actuarial study and the reason the number is not larger is that is because last year when they presented it, they included everything in regards to the actuarial and staff had issue with part of it. Staff had issue with the unfunded liability and so that was removed from it. Every number shown for each city has unfunded liability removed. Councilmember Weninger asked if that information was readily available. Mr. Isaacson said it took him about 15 minutes.

He explained the column entitled "maximum" is what a topped out firefighter makes and is what staff requested to use as the baseline for a fire fighter. That number is multiplied by the "City PSPRS %" to get the dollar amount listed in the third column. He said the city paid deferred comp, city paid RHS and city paid fire trust are listed separately as they are not pensionable items and are listed separately.

The MAYOR asked if there was any calculation for overtime and how that would affect the rate. MR. ISAACSON said if overtime was increased, the PSPRS contribution will go up. Any change to pay will affect that number. Any benefits that go towards pension will raise it too. The interest rate will also affect that number, but that would affect all cities across the board.

He noted there is not a line for special merit as it is a pensionable item and is already falling under the PSPRS contribution rate.

He explained the second chart shown was the "Projected Pay Rates for FY14/15 – Total Cash Compensation" and the only change is Peoria will receive a 1% market adjustment. The third chart is the "Proposed Pay Ranges 14/15 – Total Cash Compensation - Updated With Proposed Rates 0.86% increase".

He stated that the Fire Association is asking for credit for anything the city provides - all benefits (vacation, holiday), regardless if it's pensionable. The only two items not encompassed are the unfunded liability and health care as health care is hard to compare.

He said the city's proposal includes retirement health savings, deferred comp, special merit and health care trust fund.

There being no other questions, the Mayor adjourned the meeting.

Adjournment: The Mayor adjourned the meeting at 6:26 p.m.

ATTEST:

City Clerk

Mayor

Approval Date of Minutes: April 24, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on March 27, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 25 day of April 2014

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, March 27, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:05 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	*Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

* Councilmember Donovan participated by phone.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Rabbi Mendy Deitsch – Chabad of the East Valley

PLEDGE OF ALLEGIANCE: Boy Scout Troop # 118 led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY VICE MAYOR HEUMANN, TO APPROVE THE CONSENT AGENDA NOTING ITEM NUMBER 2 – ORDINANCE 4527 WAS MOVED TO THE ACTION AGENDA.

MOTION CARRIED UNANIMOUSLY 7-0.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Budget Workshop of March 13, 2014.
1b. Regular Meeting of March 13, 2014.
1c. Special Meeting of March 14, 2014.

2. PROPERTY SALE: SWC Gilbert and Ocotillo Roads Ord. #4527

MOVED TO ACTION AGENDA

3. POWER EASEMENTS: Salt River Project Ord. #4529

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4529 authorizing the assignment to Salt River Project (SRP) of certain power easements acquired by the City of Chandler for the Dobson Road and Warner Road Intersection Project and the Dobson Road and Chandler Boulevard Intersection Project, and authorizing the City Manager or his designee to execute all relevant documents.

BACKGROUND/DISCUSSION
In connection with City road projects for the widening and improvement of the Dobson Road and Warner Road Intersection and the Dobson Road and Chandler Boulevard Intersection, the City acquired road right-of-way in fee and easements required by SRP that were needed for the projects. The easements needed by SRP that were conveyed to the City through Final Orders of Condemnation have been processed through the court system and are now ready to be assigned to SRP.

Upon recording the assignment, the City would have no further obligation, responsibility, liability or rights associated with the easements.

4. REZONING: Opus Chandler Airport Center Phase I Ord. #4531

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4531, DVR14-0008, Opus Chandler Airport Center Phase I, rezoning from Planned Area Development (PAD) for general office and an adult educational institution to PAD for general office, an adult educational institution and medical office located at 1850 E. Northrop Boulevard, west of Cooper Road and south of the Loop 202 Santan Freeway. (Applicant: Earl, Curley & Lagarde; Stephen Earl.)

BACKGROUND
This property is part of a 245-acre master planned employment center near the Chandler Municipal Airport. The master plan, Chandler Airport Center, is located at the intersection of Cooper and Germann Roads and includes industrial, retail and office land uses. Chandler Airport Center received conceptual Planned Area Development (PAD) zoning in April 2005, and several office and light industrial projects have developed including Panattoni, Hewson and Opus. In May 2008, the subject site's PAD zoning was amended to allow adult education, Ottawa University, in the eastern Opus building. The subject site is located west of the northwest corner of Cooper Road and Northrop Boulevard. The site backs up to the Loop 202 Santan Freeway.

This application proposes to amend the existing PAD zoning for one of the two office buildings constructed by Opus. The site is zoned PAD to allow general office use and adult education. The amendment would allow the addition of medical office use within the eastern Opus building up to 23,000 square feet. Ottawa University and CDW, a technology provider, occupy the most eastern building. Mayo Clinic intends to open a medical office in that same building. The application does not propose any changes to the building or site as previously approved through a PDP.

The Mayo Clinic medical office will occupy approximately 5,000 square feet with the potential for expansion. The doctor's office hours are approximately 8 a.m. to 5 p.m. Monday through Friday. Doctor's office hours occur prior to classroom hours for Ottawa University which typically are from 5 p.m. to 10 p.m. weekdays and 9 a.m. to 5 p.m. on Saturdays. CDW operates as a telephone-oriented sales and support business Monday through Friday 8 a.m. to 5 p.m.

The site provides appropriate parking for general office use, adult education and the addition of medical office up to 23,000 square feet. General office's parking ratio is one space for each 250 square feet of building area and adult education uses are parked at one space for each 200 square feet of building area. Medical office parking is one space for each 150 square feet of building area. With the addition of medical office, the site provides a parking surplus of 99 spaces.

Building signage and multi-tenant monument signs were approved through the original PAD zoning and Comprehensive Sign Plan for Chandler Airport Center. Any signage for medical office would need to comply with the sign plan.

AIRPORT COMMISSION
The Zoning Administrator waived the need for a new Airport Conflicts Evaluation finding the addition of medical office is similar to and not more intense than existing general office and adult education uses. In 2008, the Airport Commission reviewed a prior zoning amendment to allow education in accordance with the Airport Conflicts Evaluation. The Airport Manager issued a conflicts evaluation report indicating that the Airport Commission found that the development request to allow Ottawa University did not constitute a conflict with the existing or planned airport uses.

DISCUSSION
The Planning Commission and Planning Staff are of the opinion that amending the PAD zoning to allow medical office in addition to the already permitted general office and adult education uses within a single building at Chandler Airport Center is appropriate and compatible with the existing development. The medical office use occurs opposite of the adult education's evening and Saturday hours. The site provides the required parking to accommodate general office, adult education, and medical office. The medical office use compliments the mix of office, retail and light industrial within the Chandler Airport Center master plan. The request is specific to medical office occupying Opus' eastern building and occupying up to 23,000 square feet in accordance with meeting parking requirements.

PUBLIC/NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was mailed on February 27, 2014, in lieu of a meeting due to no residential property in the surrounding area. There has been no correspondence regarding the request and Planning Staff has received no opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Wastchak absent.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

5. INITIAL CITY ZONING: West of the Northwest Corner of Riggs and Lindsay Roads
Ord. #4532

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4532, DVR14-0002, West of the Northwest Corner of Riggs and Lindsay Roads, to establish the initial City zoning of Agriculture (AG-1) on approximately 19 acres located west of the NWC of Riggs and Lindsay roads. (Applicant: City of Chandler.)

BACKGROUND
On March 13, 2014, Council adopted Ordinance No. 4256 annexing two parcels totaling approximately 19 acres generally located west of the northwest corner of Riggs and Lindsay roads. The site is bordered by unincorporated rural residential properties to the north, Bela Flor custom home subdivision to the west, Jacaranda Place subdivision (currently under construction) to the east, and Riggs Road to the south. The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian Character.

In accordance with State Statute A.R.S. §9-471, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the density of one home per acre that was previously allowed under the County's rural (RU-43) zoning.

Arizona Revised Statute §9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

The property owner has submitted a rezoning application to allow the development of a low-density residential subdivision on the subject site. The rezoning request, which is currently under review, will be coming before Council in the near future.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed according to the provisions of the City of Chandler Zoning Code.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 4 – 0 with Commissioners Pridemore, Cunningham and Ryan absent.

RECOMMENDED ACTION
Upon finding consistency with Arizona Revised Statutes, the Planning Commission and Planning Staff recommend approval.

6. PROJECT SUBMISSION: Arizona's 2015 Highway Safety Plan Res. #4736

ADOPTED Resolution No. 4736 pertaining to the submission of projects for consideration in Arizona's 2015 Highway Safety Plan for DUI Enforcement Overtime, Occupant Protection Overtime, Lab Grade Air Supply, Know Your Limit Education Program and Phlebotomy Supplies; and authorizing the Chief of Police to conduct all negotiations and to execute and submit all documents necessary in connection with such grant.

DISCUSSION
In the past, the Police Department has experienced success obtaining awards from GOHS, including five awards under the FY 2014 program for DUI Overtime, Occupant Protection (Seatbelt) Overtime, ProLite Lasers, Criminalist Training and DUI Detection Equipment. It is anticipated that applications for award consideration in their FY 2015 program will be submitted; however, a City Council approved resolution must become part of the application package.

This year, the Police Department is submitting the following five requests to GOHS for consideration in their 2015 budget. GOHS may award all five requests, break the requests up

into smaller awards (i.e. – Seatbelt Enforcement could be broken into Occupant Protection, Click It or Ticket, Child Safety Week, etc.) or award a program not formally requested such as DUI training conferences:

1.	DUI Enforcement Overtime	$80,000.00
2.	Occupant Protection Overtime	$60,000.00
3.	Lab Grade Air Supply	$21,896.00
4.	Know Your Limit Education Program	$31,200.00
5.	DUI Phlebotomy Supplies	$ 2,000.00

7. IGA AGREEMENTS AMENDMENTS: School Resource Officers Res. #4737

ADOPTED Resolution No. 4737 authorizing amendment to Intergovernmental Agreements (IGA) with Chandler Unified District No. 80 and Kyrene School District No. 28 for the assignment of School Resource Officers to schools located within the Chandler City limits and authorizing the Chief of Police to administer, execute and submit all documents and other necessary instruments in connection with said program.

DISCUSSION
The City, through the Police Department, has been supporting the School Resource Officer needs for schools located within Chandler City limits for a number of years. The Department wishes to continue to support the School Resource Officer needs of these school districts as a service to them and a positive example to the youth of the community.

FINANCIAL IMPLICATIONS
The Safe Schools Program grant that the various school districts currently receive from the State sets funding allocations for each school district. The State cut funding for this program resulting in an overall reduction in the number of SROs allocated to each district. Of the nine SRO positions within Chandler city limits, 6.75 are funded by the Safe Schools Program and 2.25 are not. This reduction results in shortfalls between the allocation and total actual officer cost. The schools endeavor to split the shortfall 50% with the City, which is the result this year. The City's portion of all shortfalls total $162,376.00.

Actual costs, amount of school funding and the City's portion of the shortfalls of SRO salary and benefits are listed below by school district:

School District		Actual Cost	Total School Funding	City's Portion
CUSD	4.75 SROs	$539,058.00	$ 526,004.00	$ 13,054.00
	2.25 SSOs*	$243,843.00	$ 121,922.00	$121,921.00
KSD	2 SROs	$238,014.00	$ 210,613.00	$ 27,401.00
		$1,020,915.00	$ 818,085.00	$162,376.00

*Non Program Funded Positions

8. IGA EXTENSION: Chandler County Island Fire District Res. #4740

ADOPTED Resolution No. 4740 extending the Intergovernmental Agreement (IGA) with the Chandler County Island Fire District for the provision of emergency services to county islands within Chandler's corporate limits.

BACKGROUND/DISCUSSION
County island residents within the corporate limits of the City have formed a fire district allowed under State law. The Chandler County Island Fire District was officially formed by action of the County Board in December 2008. Shortly after the formation of the Fire District, the City and the Fire District began discussions to enter into an IGA for fire protection services. The IGA provides for the City of Chandler Fire Department to provide emergency services to the non-contiguous county island parcels that comprise the Chandler County Island Fire District. The initial agreement was for five years and contains a provision for renewal for an additional five years.

FINANCIAL IMPLICATIONS
The IGA provides for the Chandler County Island Fire District to pay for emergency services provided by the City of Chandler Fire Department. The payments are based on an agreed upon formula contained in the IGA. The annual revenue received for fire and emergency medical service in Fiscal Year 2013-14 is $807,067.00.

9. MODIFICATION OF ASSESSMENT DIAGRAM: Downtown Chandler Enhanced Municipal Services District Res. #4744

ADOPTED Resolution No. 4744 authorizing the modification of the assessment diagram; making a statement and estimate of expenses for the Downtown Chandler Enhanced Municipal Services District; completing the assessment; setting the date for the hearing on the assessment; ordering the Giving of Notice of such hearing; and authorizing the City Manager or his designee to execute all relevant documents.

BACKGROUND
On May 25, 2006, City Council approved Resolution No. 3971 creating the Downtown Chandler Enhanced Municipal Services District, with the mission to provide marketing, promotion, security, enhanced beautification and district management. The City subsequently executed a master contract with the Downtown Chandler Community Partnership (DCCP) to perform such services for a period of 10 years. Fiscal Year 2014-15 represents the 9th operating year of the District.

As part of the annual assessment procedures, each year the Assessment Diagram and Assessment Roll need to be updated due to changes in ownership, plats and land uses. Additionally, a public hearing must be held along with the opportunity for District property owners to file objections.

DISCUSSION
As required by Resolution No. 3971, which created the District, the following documents are submitted with is report: 1) Resolution No. 4744; 2) Notice of Hearing on Assessments; 3) Boundary Map; 4) Statement and Estimate of Expenses for the District; 5) Assessment Roll; and 6) Assessment Diagram.

The purpose of Resolution No. 4744 is to set the Public Hearing to notify property owners of the intent to modify the Assessments for property in the District, a required formal step. This Resolution also authorizes the City Council to make an estimate of the expenses for the District for 2014-2015, to set the date for the hearing on the Assessment and to give the Public Notice of the hearing date.

As a result of Resolution No. 4744, the hearing for the setting of the Assessments will be held April 24, 2014, at 7:00 p.m. in the City Council Chambers. DCCP Staff will appropriately notify all property owners within the District boundary and the City will publish the notice of the hearing in a daily newspaper for five days as required by State Statute.

Assessments in the District will be based on three weighted factors including assessed value, building square footage and land square footage. All properties will be assessed at the same rate with the exception of buildings along the Historic Square, which will be assessed double the building square footage rate.

In May, Staff will return with a Resolution to approve the Annual Assessment Roll, which will memorialize the amount assessed to each parcel and property owner. After City Council approval, the roll is sent to the County Assessor for inclusion on the fall property tax bills. In June, Staff will present the Chandler Enhanced Municipal Services Agreement with the DCCP for Fiscal Year 2014-2015, which includes an Operating Plan and District Budget.

FINANCIAL IMPLICATIONS

The total assessments for Fiscal Year 2014-2015, including the City's voluntary contribution, total $243,794.00. This is a small decrease ($5,970.00) from the prior year driven by changes in assessed valuations. Given the success of the DCCP in building profitable events, the FY 2014-2015 operating budget for the District may exceed this amount to stay in compliance with the contract reserve policy. The final amount will be presented to the City Council in May as part of the DCCP contract with the City for District management services.

As a public entity, the City is not required to pay into the District assessment, but has done so since the District's inception on a voluntary basis. As the largest single property owner in the Downtown, the City has taken a leadership role in supporting the District both financially and operationally. As in prior years, the City has elected to cap its voluntary contribution at the level contributed in the prior year. This means the City's maximum contribution is $118,804.00, which represents 48.7% of the total assessment budget. Funds to provide the City's voluntary contribution are provided for in the Downtown Redevelopment budget request for Fiscal Year 2014-2015.

10. INTERGOVERNMENTAL AGREEMENT: City of Phoenix Res. #4745

ADOPTED Resolution No 4745 authorizing the execution of an Intergovernmental Agreement (IGA) with the City of Phoenix; authorizing a cooperative effort to assist Isola USA Corporation in designating their property at 165 S. Price Road as a Foreign Trade Zone (FTZ).

BACKGROUND/DISCUSSION

Isola Group located in Chandler in 2003 bringing their global corporate headquarters to the market. The company is located in two locations currently with their corporate offices at the NWC of Loop 101 and Ray Road, and their manufacturing facilities at 2165 S. Price Road. Isola is a global material sciences company focused on designing, developing, manufacturing and marketing copper-clad laminates used to fabricate advanced multilayer printed circuit boards. Their products are used in a diverse range of electronic end-markets including applications in computers, networking and communications equipment, high-end consumer electronics, as well as products designed for use in the advanced automotive, aerospace, military and medical markets.

In an effort to maintain global competitiveness, Isola contacted the Economic Development Staff requesting support for a Foreign Trade Zone (FTZ) at their 165 S. Price Road campus. The FTZ status would allow Isola to take advantage of the import/export duty reduction for those manufacturing companies located in an active FTZ. Currently, Isola would save more than 7% in tariff reduction if their building were in a declared FTZ.

As part of the additional benefits allowed in only a few states by State legislation, Arizona FTZ sites also allow for a reduction in property tax to Class 6, which drops the assessed valuation from 19.5% to 5%. However, not only does State law not allow for the automatic removal of existing facilities out of full Ad Valorem property tax rolls, Isola has agreed not to pursue the reduction of property tax for their existing buildings, and this is identified in the Resolution.

Chandler City Council approved support for Isola's application at its December 12, 2013 meeting. The application was then approved by the Phoenix City Council for a permanent Foreign Trade Zone. This is due to the fact that the City of Phoenix holds the formal FTZ designation for our area. The application was then moved on to the Federal Foreign Trade Zone Board in Washington DC for their review and vote. During this process, the City Attorneys in Phoenix requested that a formal IGA be completed between the City of Phoenix and the City of Chandler authorizing cooperative support for the application.

11. PRELIMINARY DEVELOPMENT PLAN: Avian Meadows

APPROVED Preliminary Development Plan PDP13-0019 Avian Meadows, for housing product for 81 lots within the 200-lot Avian Meadows single-family residential subdivision located north of the NWC of Chandler Heights and Lindsay roads. (Applicant: Scott Ilizaliturri; Toll Brothers.)

BACKGROUND

The subject site is located north of the northwest corner of Chandler Heights and Lindsay roads. Directly north and west of the site is the Old Stone Ranch single-family residential subdivision. East, across Lindsay Road, is the Veteran's Oasis Park. South, adjacent to the site, is an undeveloped property zoned PAD for commercial development at the intersection corner and two properties with agricultural rights within the county. Homes are currently under construction for the 119 lots that are not a part of this request.

The subdivision is being developed in two phases with 119 60'x120' lots in Phase 1 and 81 70'x120' lots as Phase 2. Ashton Woods Homes is currently developing all of Phase 1; Toll Brothers will be developing Phase 2. All site improvements (perimeter wall, landscaping streets and utilities) were completed with Phase 1, with the exception of some of the internal streets that serve Phase 1.

The 70'x120' lots are located along the northwestern portion of the subdivision. Setbacks for the housing product were incorporated in the Rezoning and PDP request for subdivision layout and are consistent with the surrounding area.

HOUSING PRODUCT

Similar to the requirement of meeting subdivision diversity, housing product also needs to meet a number of elements required in the Residential Development Standards (RDS). Required architectural elements as outlined in the RDS include providing at least three different architectural style differences prohibiting the same elevation adjacent to and across the street from each other, and providing four-sided architectural elements. Three one-story and two two-story homes are proposed, with the housing product line-up being 55' wide.

With the existing housing product, a total of six one-story homes and five two-story homes are provided for the subdivision A mix of recessed, forward and side-entry, and two-car with tandem space garages are provided; square footage ranges from 2,600 to 4,400. Existing home square footages range from 1,992 to 3,883.

Architectural styles include Spanish Colonial, Ranch and Contemporary. Various architectural elements highlighting the prescribed style include window pop-outs, garage and front door detailing, window mullions, shutters, stone detailing, wing walls and siding elements. The RDS require that at least one elevation provide stone elements; the home builder is providing stone on the Ranch and Contemporary elevations.

DISCUSSION
The Planning Commission and Planning Staff support the request citing that the housing product represents another quality addition to Chandler's housing stock. Furthermore, the Planning Commission and Planning Staff are pleased with the strong design characteristics of the housing product and the variety of elevations and housing product that will be provided throughout the subdivision.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 30, 2014. There were eight neighbors in attendance and were generally in support of the request; however, there were concerns expressed regarding school traffic in the neighborhood and how the additional homes may further exacerbate the traffic problem. The concerns primarily focused on circulation and the pick-up and drop-off movements around Ryan Elementary School. Transportation Staff has met with school representatives and has designed a solution; however, the school as requested that implementation be delayed until summer when school is not in session.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 4-0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Attachment No. 5, Development Booklet, entitled "AVIAN MEADOWS", kept on file in the City of Chandler Transportation & Development Department, Planning Division, in File No. PDP13-0019 AVIAN MEADOWS, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 4202 in case DVR09-0002 AVIAN MEADOWS, except as modified by condition

12. AGREEMENT: OEM Parts and Service

APPROVED Agreement No. FD4-060-3317 with Courtesy Chevrolet, Earnhardt Chandler Cadillac, Earnhardt Ford Sales Company, Barge Ford, Earnhardt Chrysler Dodge Jeep Ram and

Earnhardt Toyota Scion for original equipment manufacturer (OEM) parts and service (GM, Ford, Toyota and Chrysler) in an amount not to exceed $550,000.00.

13. AGREEMENT: Devau Human Resources

APPROVED Agreement No. CS4-964-3332 with Devau Human Resources for temporary staffing services for one year in an amount not to exceed $1,500,000.00, with the option of four additional one-year extensions.

Contract employees are utilized by various departments that require specialty positions not available through temporary agencies under State contract. The contract was originally established when the IRS determined, in December 1992, that a number of contract employees used by City departments should be appointed temporary employees. It was determined that it would be in the best interest of the City to contract with a temporary employment agency for the provision of those employee services.

The City is charged a cost per hour per employee plus a markup for each employee used under the contract. The percentage is added to the cost per hour for the total number of hours the employee works. The markup percentage will vary depending on skill classification, with the client referral markup being 21.9% and the other skill classifications markup being 26.9%. The markup rate covers liabilities, check distribution, application process and federal tax reporting for the temporary employees. The City determines if the hourly wage is reasonable prior to any employee being used under the contract.

14. PROJECT AGREEMENT: Sunrise Engineering, Inc.

APPROVED Project Agreement No. WW1415-201 with Sunrise Engineering, Inc., pursuant to Annual Contract No. EN1310-101, for Frye Road Water Production Facility Wall Design Services in an amount not to exceed $36,949.00.

15. CONSTRUCTION CONTRACT: ELS Construction

APPROVED Construction Contract No. PR1401-401 with ELS Construction for Valencia Park construction in an amount not to exceed $1,154,039.02.

Valencia Park is a 9.34-acre neighborhood park site that will serve the residents of the area bordered by Chandler Heights, Lindsay, Gilbert and Riggs roads. The City purchased this property as a park site in 2007. Two public meetings were held to gather input from Chandler citizens regarding the design of the park. The conceptual master plan was reviewed by the Parks and Recreation Board on November 5, 2013.

16. PURCHASE: Repair and Operations Supplies

APPROVED the purchase of industrial and maintenance, repair and operations supplies including electrical, air filters and lighting from DL Sales Corp, Snap-On Industrial, Lighting Unlimited, Border States Industries, Fastenal Company, MSC Industrial Supply, KBAK dba Air Filter Products, American Air Filter Company, WW Grainger, Inc., Electric Supply, Inc., Naughton Plumbing Sales Co., Voss Lighting, West Lite Supply Co., Triggledigger, WESCO Distribution/Brown Wholesale Electric, and Facilities Solutions Group, utilizing the State of Arizona contract, in an total amount not to exceed $175,000.00.

17. SOLE SOURCE PURCHASE: 3M

APPROVED the sole source purchase of self-check equipment from 3M, utilizing Maricopa County Contract No. 09051-SS, in an amount not to exceed $97,000.00. It is necessary to purchase 3M equipment in order to maintain compatibility with existing library equipment.

The Chandler Library system has been using Radio Frequency Identification (RFID) technology for inventory control and item checkout for over 10 years. While the Library has upgraded some components of the infrastructure, the Basha and Hamilton libraries are using outdated self-check and security gates. This purchase will upgrade the security gates at Basha and Hamilton libraries, upgrade the self-check machines at those libraries and provide the latest software interface at those libraries and at the Downtown library.

The upgraded self-checks simplify the checkout process for customers because it is faster and more intuitive. Customers are able to stack books and other items up to four or five at a time when the items are checked out. This upgrade also improves communication among the self-check stations, the RFID tags and the security gates resulting in greater reliability and enhanced tracking of items through the circulation process. The new equipment works together to greatly reduce false alarms at the gate and helps ensure that materials are accurately tracked and shelf locations are properly updated.

18. SOLE SOURCE PURCHASE: Sirsi Corporation

APPROVED the sole source purchase of library catalog software support, including circulation, cataloging, web interface and other modules, from Sirsi Corporation, in an amount not to exceed $51,500.00.

Sirsi Corporation has been the provider of the Library's circulation and inventory control software for nearly 30 years. This is the final year of service from Sirsi as the library will be changing over to the Polaris system provided through the Maricopa County Library District. This contract will cover the period of service provided by the Sirsi Corporation back to September 1, 2013. The amount of the contract is for the services rendered from that date through August 31, 2014.

Sirsi Corporation is the manufacturer of the proprietary library catalog software and does not allow other vendors to resell the support services.

19. USE PERMIT: Axiom Brewing Company LLC

APPROVED Use Permit LUP14-0002 Axiom Brewing Company LLC, Series 13, In-State Domestic Farm Winery License, to sell and serve liquor as permitted within a manufacturing and distribution business with a tasting room. The property is zoned I-2 General Industrial District and located at 6503 W. Frye Road, Suite 12, which is east of 56th Street and north of the Loop 202 Santan Freeway. (Applicant: Cody Brown, business owner.)

BACKGROUND

The application requests Liquor Use Permit approval to sell liquor as permitted by a Series 13 In-State Domestic Farm Winery License which allows a winery to produce at least 200 gallons but not more than 40,000 gallons of wine annually. A Series 13 liquor license allows wine produced on-site to be sold to consumers who order by telephone, fax, mail, catalogue or internet only.

These orders must be sent to an Arizona licensed wholesaler, then to an Arizona licensed retailer who will arrange delivery to the consumer in accordance with State statute. This license allows serving of wine produced on the premises for on and off-site consumption and for the purpose of sampling.

The sale and serving of liquor would occur within a manufacturing and distribution tenant space in an existing General Industrial District (I-2) industrial park. The tenant space is approximately 1,510 square feet in size with a warehouse and ancillary office area. There is one roll-up door on the building's east side. This is a corner tenant space adjacent to and across from other small industrial businesses. Axiom Brewing Company will manufacture, store and serve meads and cider (which is wine made from honey and apple juice). Mead is made my mixing honey and water then transferring it to fermentation tanks for up to one month. After fermentation, the mead is transferred to storage tanks for aging/flavoring. Equipment includes one 165-gallon tank, two 165-gallon fermenters, eight 50-gallon aging tanks, a bottling machine and a corking machine. All processes and storage will occur inside the warehouse. There will be delivery of honey to the site in large quantities requiring a fork lift to move product into the warehouse.

The tasting room and production hours are typically 3 p.m. to 7 p.m. Thursday and Friday, 11 a.m. to 7 p.m. Saturdays. The rest of the week, the tasting room is closed during production. The tasting room allows customers to sample the product and see the business. There is no outdoor patio or outdoor storage.

PUBLIC/NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was mailed in lieu of a neighborhood meeting due to no residential in the surrounding area. The Police Department has been informed of the application and responded with no concerns. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 4 – 0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion, modification or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 13 In-State Domestic Farm Winery License only and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other locations.
4. The site shall be maintained in a clean and orderly manner.

20. USE PERMIT: Morgan's Home Child Care

APPROVED Use Permit ZUP13-0026 Morgan's Home Child Care, a time extension to allow a residential child care for up to ten children within an existing single-family residential home located at 923 N. Dakota Street, south of Ray Road and west of Arizona Avenue. (Applicant: Morgan Rayl, owner/operator.)

BACKGROUND
The subject site is located south of Ray Road and west of Arizona Avenue within the Thunderbird Manor single-family residential subdivision. The residence has operated as a residential child care home from 2006 to 2012 without a Use Permit. A Use Permit was filed in 2012 and approved by Council for a maximum of ten children for compensation at any time. The Use Permit was approved with a one-year time limit.

The application requests a time extension of the Use Permit to continue operating a residential child care for up to ten children for an additional 3 years. The business currently has eight children ranging in age from 9 months to 4 ½ years old. The business is open Monday through Friday at 5:30 a.m. with the first child arriving typically at 6 to 6:30 a.m. and closes around 5:30 p.m. The business is solely operated by the homeowner; currently there are no employees. The prior Use Permit included approval for one employee.

The residential home is single-story and approximately 1,610 square feet. The lot is approximately 7,614 square feet. Parking for the drop-off and pick-up of children will be provided on the driveway or the adjacent street.

The Planning Commission and Planning Staff support the request for an additional 3 years finding the request meets current Zoning Code requirements and no known neighborhood opposition.

PUBLIC/NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on February 20, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 4 – 0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The residential childcare home shall have no more than ten (10) children for compensation at any time.
2. Should the applicant sell the property, this Use Permit to operate a childcare home shall be null and void.
3. This Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.

21. USE PERMIT: Verizon Pho Bologna

APPROVED Use Permit ZUP13-0027 Verizon Pho Bologna, to install a 59-foot monopalm wireless communication facility at 1225 East Frye Road, SEC of McQueen and Frye roads (Willis Jr. High School.) (Applicant: Coal Creek Consulting, Steve Ciolek; Owner: Chandler Unified School District.)

BACKGROUND

The request is for Use Permit approval to install a monopalm wireless communications facility within the Chandler Unified School District maintenance yard located at 1225 E. Frye Road. The Willis Junior High School campus abuts the west property line of the maintenance yard and the recreational fields are north. The nearest residential development is Willis Ranch single-family subdivision approximately 550 feet east and 560 feet south. The nearest school buildings are the cafeteria and gym, approximately 70 feet west of the proposed monopalm. The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

The proposed monopalm height is 59 feet as measured to the top of antennas. The equipment shelter and monopalm will be located in the northwest corner of the maintenance yard. Two storage sheds will be removed to accommodate the wireless facility. An existing six-foot high concrete masonry unit wall surrounds the site's perimeter. Several storage and maintenance buildings and fleet vehicle parking are within the maintenance yard.

A monopalm is a cell tower disguised as a palm tree. The monopalm would be a Date Palm design. The number of palm fronds should be no less than 65 fronds. Planning Staff recommends this be a condition of approval to ensure the fronds provide adequate screening of the antennas. The antennas would be painted to match the fronds. The presence of palm trees north and west of the maintenance yard precludes the need for additional live trees adjacent to the monopalm. The site is a hard surface pavement with no existing vegetation. No additional landscape is required due to the location in the maintenance yard and the presence of the perimeter wall.

The height is found to be acceptable given the distances to the residential subdivision. In similar school campus installations, wireless facilities are placed adjacent to school buildings and in proximity to other campus amenities. The height of the wireless facility on school campuses is dependent on the type of wireless facility; in the case of ball field light poles, heights range from 60 to 80 feet and monopalms may be up to 65 feet.

Within the immediate area, there are no other suitable alternatives for co-location of the wireless communication facility on existing poles or towers. An inventory of existing facilities, vertical towers and structures located within an approximate one mile radius was prepared by the applicant to assess alternative locations.
Ten locations were analyzed to determine their feasibility for collocation on utility poles, tennis court lights, monopoles and other verticalities. None of the locations met the frequency requirements and locational service needs.

DISCUSSION

Planning Staff finds the proposed location to be appropriate for a wireless facility in the form of a 59-foot monopalm. The distances from the residential properties to the east and south are a positive. The location on the Chandler Unified School District-owned maintenance yard property and the design is appropriate at this location given the presence of palm trees in the surrounding area.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on December 9, 2013. There were no neighbors in attendance. Planning Staff received several inquiries into this request. One property owner requested information on the location and design. The plans illustrating the location and design

were provided to the property owner who subsequently indicated their concerns were allayed. The other property owner stated their opposition to the request including the location by residential and the school, and radiation/health hazards.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 4 – 0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. The monopalm shall have a minimum of 65 palm fronds.

22. USE PERMIT: All J's Detail

APPROVED Use Permit ZUP13-0028 All J's Detail, for a time extension to allow an automotive detailing business within Planned Industrial District (I-1) zoning located at 7045 W. Galveston Street, Suite 11, north of Chandler Boulevard and east of 54th Street. (Applicant: Javier Olivas, business owner.)

BACKGROUND
This application requests a time extension of the Use Permit to allow an automotive detailing business within a Planned Industrial District (I-1) zoning district for an additional three (3) years. The first Use Permit on this property was approved in December 2011 for 2 years. The business had moved from another Chandler location where it operated for a couple of years. The subject site is within an existing light industrial business park. The site is developed with one light industrial warehouse building which is approximately 32,800 square feet in size. Larsen Supply Company, a plumbing and heating equipment and supplies business, occupies approximately 20,800 square feet. All J's Detail occupies the remaining 12,000 square feet.

Surrounding buildings to the west, east and south are zoned I-1 light industrial. Property to the north is undeveloped land zoned I-1, which is adjacent to existing developed commercial property. There are automotive repair businesses under a Use Permit in the area off of 54th Street and an auto body paint and repair shop west of the subject site.

All J's Detail specializes in complete auto detailing including exterior vehicle buffing, waxing, detailing wheels and tires and interior shampooing. The businesses main customers are rental and leasing companies as well as independent vehicle wholesalers who bring vehicles to the site for detailing; it is not open to the general public for personal auto detailing. All washing or detailing of vehicles occurs within the warehouse or in the rear yard of the property behind the security gates. When vehicles are complete, they are parked in front of the building awaiting pickup. If there is a need for overnight parking of vehicles, this will occur behind the building in the gated area only. There are approximately 10 to 20 vehicles per day.

The request does not represent any use of this property for vehicle maintenance and repair, auto body or mechanical engine work, tire and/or wheel shop, vehicle customization and accessories, sales, leasing, vehicle related retail sales, or the like.

The business operates Monday through Friday from 8 a.m. to 5 p.m. There are approximately 6 to 8 employees. There are approximately 60 parking spaces on the property for use by both tenants.

DISCUSSION

The I-1 zoning district does not permit automotive related uses such as sales, leasing, repair, customization, detailing and the like without approval of a Use Permit since these are considered commercial not industrial uses. It is not unusual to have automotive uses granted a Use Permit in the I-1 zoning. There are several auto businesses west of the subject site off of 54th Street, in the building next to this site, and some south of Chandler Boulevard that have been successful and compatible at their location within an industrial business park.

The Planning Commission and Planning Staff are of the opinion that the proposed automotive detailing business is compatible with the other businesses in the immediate area and the mix of uses in the industrial park area. The location provides adequate parking for the business too. The applicant understands and agrees to conditions limiting the business to what is represented as an automotive detailing use only. The Planning Commission and Planning Staff recommend several conditions including a three (3) year time limit since it has been operating 2 years already at this location.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was mailed in lieu of a neighborhood meeting due to no residential in the area or any prior opposition with this business. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.
2. Expansion or modification beyond the approved exhibits (Floor Plan, Site Plan, Narrative) shall require reapplication and approval of a Use Permit.
3. The Use Permit is non-transferable to other store locations.
4. There shall be no vehicle maintenance and repair, auto body or mechanical engine work, tire and/or wheel shop, vehicle customization and accessories, sales, leasing, vehicle related retail sales, or the like.
5. The site shall be maintained in a clean and orderly manner.
6. There shall be no vehicle parking, storing, detailing, or the like on City streets. All vehicles shall be maintained on-site.
7. There shall be no working on vehicles in front of the building; all detailing shall occur in the building or at the rear of the property.
8. As represented by the applicant, clients are restricted to corporate accounts only; no individual, general public clients are permitted.

23. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Chandler Craft Spirits Festival, April 26, 2014, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

24. SPECIAL EVENT LIQUOR LICENSE: Chandler Center for the Arts

APPROVED a Special Event Liquor License for the Chandler Center for the Arts for the Jesse Cook Concert, May 9, 2014, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

25. LIQUOR LICENSE: Crowne Plaza San Marcos Golf Resort

APPROVED a Series 6 Bar Liquor License (Chandler #151678 L6) for Andrea Dahlman Lewlowitz, Agent, HRI Lodging LLC, dba Crowne Plaza San Marcos Golf Resort, 1 San Marcos Place. A recommendation for approval of State Liquor License #06070352 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Craz Associates LLC, dba Crowne Plaza San Marcos Golf Resort.

26. PRELIMINARY PLAT: The Met at Fashion Center

APPROVED Preliminary Plat PPT14-0003, The Met at Fashion Center, for a multi-family residential development and a future mixed-use parcel located at the SEC of Chandler Boulevard and Hearthstone Way. (Applicant: Hubbard Engineering.)

BACKGROUND
This Preliminary Plat is for a multi-family residential development and a future mixed-use parcel that was approved by Council in November 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 4- 0 with Commissioners Cunningham, Pridemore and Ryan absent.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and Planned Area Development (PAD) zoning, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

27. FINAL PLAT: Layton Lakes Parcel 22

APPROVED Final Plat FPT13-0012, Layton Lakes Parcel 22, for a 96-lot residential subdivision as part of the Layton Lakes Master Plan, located west of the NWC of Layton Lakes Boulevard and Lindsay Road. (Applicant: Kent Groh; Bowman Consulting.)

BACKGROUND
This Final Plat is for the 96-lot Parcel 22 of the Layton Lakes Master Plan approved by Council in early 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

28. FINAL PLAT: Layton Lakes Parcel 24

APPROVED Final Plat FPT13-0014 Layton Lakes Parcel 24, for a 145-lot residential subdivision as part of the Layton Lakes Master Plan, located east of the SEC of Gilbert and Queen Creek roads. (Applicant: Kent Groh; Bowman Consulting.)

BACKGROUND
This Final Plat is for the 145-lot Parcel 24 of the Layton Lakes Master Plan approved by Council in late 2012. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

29. FINAL PLAT: Layton Lakes Parcel 26

APPROVED Final Plat FPT13-0015 Layton Lakes Parcel 26, for an 86-lot residential subdivision as part of the Layton Lakes Master Plan, located at the NEC of Appleby and Gilbert roads. (Applicant: Kent Groh; Bowman Consulting.)

BACKGROUND
This Final Plat is for the 86-lot Parcel 26 of the Layton Lakes Master Plan approved by Council in late 2012. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

30. FINAL PLAT: Layton Lakes Parcel 28

APPROVED Final Plat FPT13-0013 Layton Lakes Parcel 28, for a 17-lot residential subdivision as part of the Layton Lakes Master Plan, located east of the NEC of Gilbert and Ocotillo roads. (Applicant: Kent Groh; Bowman Consulting.)

BACKGROUND
This Final Plat is for the 17-lot Parcel 28 of the Layton Lakes Master Plan approved by Council in late 2008. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

31. FINAL PLAT: Staybridge Suites Hotel

APPROVED Final Plat FPT14-0001 Staybrige Suites Hotel, for a hotel located at the NEC of Chandler Boulevard and McClintock Drive. (Applicant: Dan Mann; Rick Engineering Company.)

BACKGROUND
This Final Plat is for a hotel located at the northeast corner of Chandler Boulevard and McClintock Drive that was approved b Council in early 2013 and is currently under construction. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

32. FINAL PLAT: La Esquina

APPROVED Final Plat FPT13-0025 La Esquina, for a 79-lot single-family residential subdivision located at the NWC of Gilbert and Ocotillo roads. (Applicant: Rick Engineering.)

BACKGROUND
This Final Plat is for a 79-lot single-family residential subdivision located at the northwest corner of Gilbert and Ocotillo roads that was approved by Council in October 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval.

ACTION:

2. PROPERTY SALE: SWC Gilbert and Ocotillo Roads Ord. #4527

Ordinance No. 4527 authorizing the sale of approximately 31.22 acres of City-owned property at the SWC of Gilbert and Ocotillo roads to DeRito Partners Development, Inc., for $8,647,334.00; authorizing the Recapture Agreement; and authorizing the City Manager or his designee to execute all relevant documents.

MAYOR TIBSHRAENY stated several comment cards were submitted in opposition to this item. He stated he would take comments first and then have a brief Staff presentation on the item.

MIA KROEGER, 2736 E. Glacier Dr., expressed her concern with the proposed development of the property. When they purchased their home, it was with the understanding the area would be developed as a park. The commercial plan calls for a gas station and the size of the homes proposed for the adjacent area devalues their property.

JO SALSMAN, 2500 E. Coconino Dr., expressed her concern with proposed development of the property. When they purchased their home, it was with the understanding the area would be developed as a park. It is a significant change from a park to a commercial development. She was concerned about a gas station and the hazards it can bring. She stated there is a well on the parcel and was concerned about contamination of the sub-surface water and other contamination on the parcel.

MICHAEL SALSMAN, 2500 E Coconino Dr., He is in agreement with the concerns expressed by the homeowners, but is also concerned with the increase of traffic the development will bring. If this moves forward, there needs to be consideration for widening the intersection. He was concerned about the proposed residential area. The proposed development indicates much smaller homes to be built which will impact their property value significantly.

PATRICK PENDER, 2716 E. Glacier Pl., expressed his opposition to the change in rezoning and redevelopment. It contradicts what Chandler had planned for the area as detailed in the June 2008 future land use plan. He addressed what the plan originally called for .

MICAH KROEGER, 2736 E. Glacier Pl., expressed his opposition to the development of low density homes in the area that will impact their property value. He believes the area does not need this type of development in the area at this time.

PETER SALTENSTALL, 2711 E. Yellowstone Pl., provided a definition of rural. To him this does not include homes backed up to a grocery store. He also expressed concerns with the residential plan for the adjacent site. When they bought their lot in 2007-2008, they reviewed the map for the area which indicated a commercial node and a park on the SWC. He asked Council to follow through with the original plan. The homeowners in that area did their due diligence to see what was planned for the vacant lot.

ERNESTO SIDI, 2692 E. Zion Way, thanked the Council for their service to the community. He moved into his home in 2005. They now have two small children which ride their bikes and play with neighbors in the front of their home. He expressed concern with the gas station and increased traffic so close to their home. He would like to see a green belt planned as a buffer and safety barrier between their homes and the commercial development. He does not want to see a gas station built at all.

SCOTT GREGORY, 2722 E. Zion Way, bought their home two years ago for the agriculture/open space in the area. He expressed concern for the congestion, air pollution and devalued home prices this development would cause. He understands the growth factor the valley is having, but respectfully asks Council to reconsider the proposed development of this site.

LATONA PATTEN, 2671 E. Coconino Dr., she address issues of a different nature and mentioned Chandler has at least 12 corners with vacant retail locations.

She pointed out the "plan" which is the Southeast Regional Plan for Chandler.

The area outlines open regional space with recreational opportunities, which she pulled off the Chandler website today. She stated the small homes proposed for the adjacent area will depreciate their home values. She said there are already people begging for money at the Bashas grocery store. If the plan does move forward she asked they reconsider the front of the building be located on Gilbert Rd. not Ocotillo Rd.

KARYN FOUGHT, 2429 E. Kaibab Pl., she felt the common thread they seem to share is they were under the impression the land would be used for a park. They moved away from small residential lots and dense neighborhoods to their current location. She felt that once there is an interested party for the land, it is hard to fight any rezoning or land use changes. She is concerned on an environmental basis of leaking tanks and increased air pollution. She stated there are studies that show a four-fold increase of childhood leukemia when living near high traffic areas or near gas stations.

SCOTT GOLBA, 4203 S. Nash Way, stated he is a real estate broker in three states and he is concerned with the proposed development of the smaller homes on the adjacent corner. If the homes are built he would appreciate the City working with the community to at least protect their neighborhood from the additional traffic and people.

TINA LOBE, 2705 E. Grand Canyon Dr., she stated there are two Frys already in the area and a Bashas located on Chandler Heights and Gilbert Roads. The community lost a Bashas located at Lindsay and Queen Creek Roads. She would hate to see Bashas close because of another grocery store in the area that would take away business.

RANDY STILL, 4344 S. Roger Way, stated his family was one of the first families to move in the area. He is concerned with sustainability in the area. While he can see that a grocery store might be the highest and best use of the property there are several grocery stores already in the area. He is afraid it will fail, causing the smaller businesses to fail. He inquired whether a commercial appraisal has been done to consider the overall impact on the surrounding businesses. He is also concerned about the residential piece of the development.

MAYOR TIBSHRAENY asked the City Manager to have Staff reiterate what the action is before the Council, and address the concerns mentioned tonight regarding the public process, how to incorporate neighborhood requests, when might be the proper time to address those requests and have those meetings, and address the environmental issues mentioned. He also asked Staff for clarification regarding the plans for the site, and what was originally planned for the site.

CITY MANAGER DLUGAS had Christine Mackay, Director of Economic Development address the comments. She stated she would start with the process the City went through for the RFP then the steps of the public process.

CHRISTINE MACKAY stated that in 1995 the site was acquired with the intended use for a municipal utilities treatment plant. In 2005 a joint plant with the Town of Gilbert was identified and pursued. That project moved forward in 2009, leaving the site in question available for another type of use. Working with the municipal utilities department, they requested assistance from the Economic Development Dept. to sell the parcel on Ocotillo and Gilbert so they could offset the cost of purchasing a site in the Price Rd. corridor area.

On August 30th the City of Chandler released the Request for Proposal (RFP) and then posted the site with a web address to the RFP. The RFP requested a neighborhood commercial and residential combination plan. October 29th was the deadline for submittal of the RFPs.
Only two of the seven submittals met the appraised value of the property and only the DeRito Partners submission addressed the neighborhood commercial and residential combination as requested in the RFP.

The agenda item before Council is the final adoption of the Ordinance which allows the opening of Escrow and initiates the beginning of the Public Process. During this time the developer works with Planning Staff, usually for a few months, reviewing site design, ingress & egress, viability, buildings, facades, and character of the area. After this, the City will start the neighborhood notification. Any neighborhood or resident within a ¼ mile will be notified by mail and the City's large orange signs are posted on the property. Neighborhood meetings will then be held and this is when the concerns from residents are heard. The developer, City Staff, and the residents work together on the various issues mentioned tonight to come up with viable solutions.

After the neighborhood meetings, the item is taken to a Planning and Zoning Commission Public Hearing and then two City Council meeting for hearings.

CHRISTINE then addressed some of the concerns expressed by the residents earlier.

- The site design is conceptual at this time.
- Gilbert Rd. is currently under construction – it will become a 4 lane (south) and 6 lane (north) of Ocotillo arterial street
- Ocotillo Rd. is currently under construction – it will have additional lanes in the near future, and future lanes are scheduled in a Capital Improvement Project.
- The gas station may be on the conceptual plan, but it is not a committed structure.
- Since 1995 the land was intended for a utility treatment plant. It was never listed to be a park.
- From a commercial viability standpoint – Gilbert Rd. has always been planned as the major movement throughout southeast Chandler. It is the busiest north/south road and had been planned to carry the burden of traffic.
- The site shows a grocery anchor, but at this time there is no signed deal with a grocer.
- The northeast corner was conceived to be the neighborhood commercial, but that has changed as the residential development has moved forward on the northeast corner.
- The 31 acre site is approximately 40% commercial and 60% residential.

VICE MAYOR HEUMANN inquired about the City's General Plan.

JEFF KURTZ, Planning Administrator stated that the Planning Department is working on the long term use plan for the southeast area of the City. Plans are broad-brush policy oriented statements. So there is always room for something to change. Tonight's dialog is usually heard during a zoning process, but is essential for any type of development in a city.

VICE MAYOR HEUMANN stated if the land was held by a private individual and was being sold, there would be no public participation. Mr. Kurtz stated that was correct.

COUNCILMEMBER HARTKE stated the action before Council was the sale of the property, not the use of the property. Mr. Kurtz stated he was correct.

MAYOR TIBSHRAENY stated the sale is contingent upon the developer being able to acquire the zoning needed in order to develop the land the way they would like to.

VICE MAYOR HEUMANN stated that regardless of the vote tonight, the use of the land is not decided at this time.

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COIUNCILMEMBER SELLERS, TO APPROVE AGENDA ITEM 2 PROPERTY SALE: SWC Gilbert and Ocotillo Roads.

MOTION CARRIED BY MAJORITY 6-1 Tibshraeny

UNSCHEDULED PUBLIC APPEARANCES:

CORTLAND SILVER, 6112 W. Victoria Pl. – Stated approximately two-year's ago the Goodman family, applied for a Use Permit for their home "Chateau de Vie" which was denied by the City after hearing from the surrounding residents and review by the City to meet certain conditions that might allow for this Use Permit. Since that time, the Goodman's have held special events which were not family related. Recent events include a fundraiser for Congressman Matt Salomon and a wedding reception. The Goodman's are working around the Use Permit denial and have now listed the property as a vacation rental. He would appreciate Council to keep an eye on the property and make sure it is not used for business purposes.

DENNIS RICHARDS, 6033 W. Victoria Pl. – stated his home is directly south of this home. While the Use Permit was denied by the City of Chandler, they are still conducting special events and there will be a wedding held on the property Saturday, March 29th. These events are being held without a use permit and cause traffic problems. The property has a small entrance, so when they miss the entrance the traffic is then using their community to turn around. He would like Council to take action to make sure the property is not used as a business facility.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny announced the following events:

- Chandler's Jazz Festival April 4th and 5th
- The annual "Let's Pull Together" - the City's community weed pulling event
- The Drowning Prevention Walk – Chandler's firefighters door-to-door campaign to prevent water related tragedies

B. Councilmembers' Announcements

Councilmember Weninger announced:

- Chandler Center for the Arts - Rising Star Talent Fest and event for abused children on March 29th

Vice Mayor Heumann announced the following:

- Valencia Park is being built under bid
- Relay for Life on May 2nd at Basha High School
- Jewish Community Center's event on April 8th at the Chandler Center for the Arts
- Last week Hamilton High School held the first Robotics competition

Councilmember Ellen announced the following:

- Chandler Airport Days on April 5th and 6th
- She expressed her condolences for the loss of Chandler Police Detective Sean McKenzie

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:23 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: April 10, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 27th day of March 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 14 day of April, 2014.

_____ City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, April 10, 2014 at 7:00 p.m.

THE MEETING WAS CALLED TO ORDER BY VICE MAYOR HEUMANN at 7:00 p.m.

The following members answered roll call:

Rick Heumann	Vice-Mayor
Trinity Donovan	Councilmember
Nora Ellen	Councilmember
Kevin Hartke	Councilmember
Jeff Weninger	Councilmember

* Mayor Tibshraeny and Councilmember Sellers were absent and excused.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Victor E. Hardy – Congregational Church of the Valley

PLEDGE OF ALLEGIANCE: Boy Scout Troop 88 led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER DONOVAN, SECONDED BY COUNCILMEMBER HARTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

COUNCILMEMBER WENINGER stated he would vote no on Items 9 and 10 (SolarCity).

MOTION CARRIED UNANIMOUSLY (5-0) with the exceptions noted.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Special Meeting (Briefing) of March 24, 2014.
1b. Study Session of March 24, 2014.
1c. Special Meeting (Public Hearing) of March 24, 2014.
1d. Regular Meeting of March 27, 2014.

2. POWER EASEMENTS: Salt River Project Ord. #4529

ADOPTED Ordinance No. 4529 authorizing the assignment to Salt River Project (SRP) of certain power easements acquired by the City of Chandler for the Dobson Road and Warner Road

Intersection Project and the Dobson Road and Chandler Boulevard Intersection Project, and authorizing the City Manager or his designee to execute all relevant documents.

3. REZONING: Opus Chandler Airport Center Phase I Ord. #4531

ADOPTED Ordinance No. 4531, DVR14-0008, Opus Chandler Airport Center Phase I, rezoning from Planned Area Development (PAD) for general office and an adult educational institution to PAD for general office, an adult educational institution and medical office located at 1850 E. Northrop Boulevard, west of Cooper Road and south of the Loop 202 Santan Freeway.

4. INITIAL CITY ZONING: West of the Northwest Corner of Riggs and Lindsay Roads Ord. #4532

ADOPTED Ordinance No. 4532, DVR14-0002, West of the Northwest Corner of Riggs and Lindsay Roads, to establish the initial City zoning of Agriculture (AG-1) on approximately 19 acres located west of the NWC of Riggs and Lindsay roads.

5. DOCUMENT SUBMISSION: Governor's Office of Highway Safety Grants Res. #4739

ADOPTED Resolution No. 4739 authorizing the Fire Chief to conduct all negotiations and execute and submit all documents in connection with the Governor's Office of Highway Safety Grants.

BACKGROUND/DISCUSSION
The Fire Department has applied for a Governor's Office of Highway Safety Grant in the amount of $36,242.00 to conduct child car seat safety clinics between October 1, 2014 and September 30, 2015. A requirement of this grant process is to have the City Council approve a resolution approving the submission of the grant application request. Grant awards will be made before September 30, 2014.

6. CALL OF ELECTION: 2014 Primary and General Elections Res. #4748

ADOPTED Resolution No. 4748 designating the 2014 Primary Election on August 26, 2014, and the General Election on November 4, 2014 and authorizing the City Clerk to enter into an agreement with the Maricopa County Elections Department to coordinate the administration of the elections in regards to services and fees.

DISCUSSION
This resolution designates the dates of the Primary and General Elections in consolidation with the statewide election dates and announces the voter registration cutoff for each. The Primary election will be held for the purpose of electing a mayor and three council members. A candidate for the office of councilmember may be declared elected at the Primary election if he/she receives a majority of the votes cast for the office of mayor. If there are any offices to which no candidate was declared elected, a runoff election will be held.

Nomination papers and petitions are currently available in the Office of the City Clerk. A candidate must file the required nomination papers and signature petitions beginning April 28, 2014, but no later than 5:00 p.m. on May 28, 2014, in order to have his/her name placed on the ballot.

On-site early voting will be available at City Hall during each election period.

7. CONTINUED REZONING & PRELIMINARY DEVELOPMENT PLAN: Allred Park Place

CONTINUED TO MAY 8, 2014, Zoning DVR13-0032 Allred Park Place, rezoning from Planned Area Development (PAD) for commercial, office and business park uses including a Mid-Rise Overlay for buildings up to 85 feet in height, to Planned Area Development (PAD) for business park, hotel, conference center and service retail uses, including a Mid-Rise Overlay for buildings up to 150 feet in height, to allow additional time to address recent architectural and traffic issues. CONTINUED TO MAY 8, 2014, Preliminary Development Plan (PDP) for site design and building architecture on property totaling approximately 73 acres located at the NE and SW corners of Price and Willis roads, to allow additional time to address recent architectural and traffic issues.

8. AGREEMENT AMENDMENT: The Shannon S. Martin Company

APPROVED Agreement No. MU0-910-2850, Amendment No. 3, with The Shannon S. Martin Company for Municipal Utilities Department facilities janitorial services for one year in an amount not to exceed $56,580.00.

9. AGREEMENT & PERFORMANCE GUARANTEE AGREEMENT: SolarCity

Councilmember Weninger voted nay on this item.

APPROVED (4-1) Agreement No. CM4-290-3330 and Performance Guarantee Agreement with SolarCity for Solar Power Purchase to provide Solar Arrays to the parking lot at the Downtown Chandler Library for twenty (20) years in a pre-paid amount of $419,067.00 and applicable taxes of $42,116.00 for a total amount of $461,183.00.

The City has been pursuing opportunities for solar arrays on various City structures and parking lots. As part of the Request for Proposal (RFP) process, the City highlighted the Downtown Chandler Library as a possible location for a solar installation. The purpose of the solar array is to offset the kilowatt hour (kWh) cost of electricity to the Downtown Library. The RFP required the solar supplier to provide a savings to the City for the duration of the solar services agreement.

The agreement with SolarCity is to purchase the solar power upfront for a specified cost per kWh. By purchasing the solar power up front, the City is locking in the cost per kWh. The winter kWh is $.03650 and the summer kWh rate is $.05145.

Major components of the agreement include:

Guaranteed Annual kWh:	12,110,679 kWh
Cost per kWh:	$.0.035
Estimated savings over life of agreement:	$505,224.00

Solar production over the guaranteed minimum amount: no additional cost to the City
No Production Based Incentives

10. AGREEMENT & PERFORMANCE GUARANTEE AGREEMENT: SolarCity

Councilmember Weninger voted nay on this item.

APPROVED (4-1) Agreement No. CM4-290-3330 and Performance Guarantee Agreement with SolarCity for Solar Power Purchase to provide Solar Arrays to the roof and existing parking shade structures at the Police Property & Evidence Building for twenty (20) years in a pre-paid amount of $217,260.00 and applicable taxes of $21,835.00 for a total amount of $239,095.00.

The City has been pursuing opportunities for solar arrays on various City structures and parking lots. As part of the Request for Proposal (RFP) process, the City highlighted the Police Property & Evidence Building as a possible location for a solar installation. The purpose of the solar array is to offset the kilowatt hour (kWh) cost of electricity to the Property & Evidence Building. The RFP required the solar supplier to provide a savings to the City for the duration of the solar services agreement.

The agreement with SolarCity is to purchase the solar power upfront for a specified cost per kWh. By purchasing the solar power up front, the City is locking in the cost per kWh. The winter kWh is $.03650 and the summer kWh rate is $.05145.

Major components of the agreement include:

Guaranteed Annual kWh:	6,322.505 kWh
Cost per kWh:	$.0.034
Estimated savings over life of agreement:	$305,735.00

Solar production over the guaranteed minimum amount: no additional cost to the City
No Production Based Incentives

11. AGREEMENT AMENDMENT: HD Supply Waterworks

APPROVED Agreement No. WH3-890-3218, Amendment No. 1, with HD Supply Waterworks for the purchase of water works supplies, in the amount not to exceed $300,000.00.

12. PURCHASE: MorphoTrak, Inc.

APPROVED the purchase of annual maintenance for the period July 1, 2014 through June 30, 2015 for existing Automated Fingerprint Identification System/Livescan equipment from MorphoTrak, Inc., utilizing State Contract #ADPSO13-038750, in the amount of $78,135.00.

The Chandler Police Department's Forensic Services Section analyzes all information obtained at all Livescan locations, all 10-print cards and all latent fingerprints recovered from crime scenes prior to uploading them to the Arizona Automated Fingerprint Identification System (AZAFIS). The State utilizes MorphoTrak exclusively for this equipment and they are the sole provider of maintenance for this system.

The Arizona Department of Public Safety is the manager of AZAFIS and has designated MorphoTrak as the sole source provider throughout the State in order to maintain compatibility and to allow sharing of information among statewide public safety agencies.

13. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Cinco de Mayo Celebration on May 3, 2014, at Library Plaza, 22 S. Delaware Street. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

14. LIQUOR LICENSE: Axiom Brewing Company

APPROVED a Series 13 Domestic Farm Winery Liquor License (Chandler #152013 L13) for Cody Shadoe Brown, Agent, Axiom Brewing Company LLC, dba Axiom Brewing Company, 6503 W. Frye Road, Suite 12. Recommendation for approval of State Liquor License #13073017 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

15. LIQUOR LICENSE: Nasha Lounge & Bar

APPROVED a Series 12 Restaurant Liquor License (Chandler #150879 L12) for Dominic Sarkar, Agent, Nasha Lounge & Bar LLC, dba Nasha Lounge & Bar, 2051 W. Warner Road, Suite 7. A recommendation for approval of State Liquor License #12079805 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Nasha Indian Cuisine.

16. LIQUOR LICENSE: Pitta Souvli Mediterranean Grill

APPROVED a Series 12 Restaurant Liquor License (Chandler #151482 L12) for Paul Michael Schommer, Agent, Loulu Enterprises LLC, dba Pitta Souvli Mediterranean Grill, 1940 S. Alma School Road, Suite 5. A recommendation for approval of State Liquor License #12079803 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Pitta Souvli.

17. PRELIMINARY PLAT: Champion Academy

APPROVED Preliminary Plat PPT14-0004 Champion Academy, for a public charter school located north of the NWC of McQueen and Frye roads. (Applicant: Bowman Consulting.)

BACKGROUND
This Preliminary Plat is for a public charter school. The plat creates the lot, establishes the necessary easements and dedicates the required rights-of-way. The property is zoned AG-1 (Agricultural District) and Planned Area Development (PAD) for a church. A Rezoning is not required since public charter schools are exempt from local zoning compliance.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Wastchak absent.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan, the Planning Commission and Planning Staff recommend approval of the Preliminary Plat subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

18. FINAL PLAT: NEC Elliot & Dobson

APPROVED Final Plat FPT14-0005 NEC Elliot & Dobson for a 4-lot commercial subdivision located at the NEC of Dobson and Elliot roads. (Applicant: Ken Zell; Zell Company, LLC.)

BACKGROUND
This Final Plat is for a commercial development located at the northeast corner of Dobson and Elliot roads that is currently under construction. The subject site is zoned Community Commercial (C-2). The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and C-2 zoning, Planning Staff recommends approval.

PUBLIC HEARINGS:

PH1. PROPOSED LOCAL ALTERNATIVE EXPENDITURE LIMITATION – HOME RULE OPTION

VICE MAYOR HEUMANN opened the Public Hearing at 7:06 p.m.

GREG WESTRUM, Budget Manager, provided a brief overview of the alternative expenditure limitation, known as the "Home Rule Option" and how it impacts the City's Budget. Other items Mr. Westrum spoke on were:

- The Home Rule Option is voted on every four years
- There are two Public Hearings, tonight's and the second is scheduled for April 24th
- Financial implications if Home Rule does not pass at this year's election
- An abbreviated calendar of events that must occur as the City prepares to add this item to the ballot for election

On June 3, 1980, the State of Arizona placed a new expenditure limitation on cities and towns. Arizona Revised Statutes (A.R.S.) prescribe a maximum spending limit based upon a formula incorporating expenditures in Fiscal Year 1979-80, adjusted for increases in population and inflation. A.R.S. also provides several alternatives to the State imposed spending limitations. Since 1982, the City of Chandler has adopted the alternative expenditure limitation referred to as the "Home Rule Option" which allows the City to establish its own expenditure budget based upon anticipated revenues and expenditures.

Home Rule frees the community from any ties to the State-imposed limitation and permits the Mayor and Council, along with the local electors of the community, to decide programs, service levels and methods of financing capital improvements. The Home Rule option must be adopted by resolution with a two-thirds Council majority vote and approved by a majority of the voters.

This public hearing is the first of two required by A.R.S. before Council can adopt a resolution to place the Home Rule option on the August 26, 2014, Primary Election ballot. If approved by the voters, the Home Rule alternative budget would begin with the FY 2015-16 Budget and be

effective for four years. No Council action is required until the completion of the second public hearing on April 24, 2014. Public notice of the two public hearings to discuss the Home Rule option was published in the Arizona Republic newspaper on two different dates, as required by A.R.S., and has been posted on the City's web site. Chandler voters have approved the Home Rule option eight consecutive times since 1982 with the most recent Home Rule election approved in November 2010.

The maximum spending limitation using the State formula for the first effective year, FY 2015-16, is $217,296,627, plus certain excludable items such as bond proceeds, interest income and grants. The spending limitation for the FY 2015-16 Budget under the Home Rule option, will be based on the FY 2014-15 Proposed Budget and will be calculated once the Proposed Budget is finalized over the next several weeks. The Home Rule alternative spending limitation for the 2010 Home Rule election was the FY 2011-12 adopted budget. The budget was approximately $55 million higher than the State-imposed limitation. The difference is expected to be somewhat larger for FY 2015-16.

There were no comments made by the public.

VICE MAYOR HEUMANN closed the public hearing at 7:12 p.m.

PH2. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FISCAL YEAR 2014-2-15 ANNUAL ACTION PLAN

Vice Mayor Heumann opened the Public Hearing at 7:12 p.m.

JENNIFER MORRISON, Director of Neighborhood Resources, provided a brief overview of the funds the City will receive through Community Development Block Grants and how the budget will be allocated. The City is working through the process and public comment period and must submit an annual plan which is included in the Council packet and in draft form. As part of the public process community development staff and neighborhood staff sent out 1200 surveys to the low to moderate income households. The survey showed the highest needs indicated were speeding, need for additional code enforcement, need to address blight in neighborhoods and presence of unsupervised youths, and noise and crime were also listed on the survey results.

Ms. Morrison addressed other issues noted in her Staff report, and code enforcement issues which Councilmember Donovan inquired about.

The Department of Housing and Urban Development (HUD) requires that all local governments receiving Community Development Block Grant (CDBG) funding, submit an annual Action Plan that will guide HUD funded housing, homeless and community development activities in the City of Chandler for the period beginning July 1, 2014 through June 30, 2015. Chandler will receive $1,191,063 in CDBG funds for Fiscal Year 2014-15.

To comply with the City of Chandler's Public Participation Plan, the City is holding a public comment period that began Wednesday, March 26, 2014, and will remain open for 30 days. In addition, a public hearing on the Annual Plan was held Wednesday, March 26, 2014 at the Housing and Human Services Commission ((HHSC) meeting. Staff is requesting an additional public hearing to be held at the April 10, 2014 City Council meeting to ensure opportunities for input from the community.

Non-profit organizations applying for Fiscal Year 2014-15 CDBG funding, submitted applications in November, 2013. A total of 13 applications were received requesting a total of $1,423,409. The HHSC reviewed and evaluated the applications and made initial CDBG funding recommendations to City Council for approval. Initial CDBG funding recommendations were finalized by HHSC on Wednesday, March 26, 2014 and are summarized on page 16 of the Plan. The City's CDBG funding for Fiscal Year 2014-15 is a less than one percent (1%) reduction in funding compared to Fiscal Year 2013-14.

After the close of the 30-day public comment period, the Fiscal Year 2014-15 Annual Action Plan, including the CDBG funding allocation recommendations, will be brought to the Mayor and Council for approval on May 8, 2014. HUD requires submittal of the Plan by May 15, 2014.

An item of significant discussion of the CDBG Subcommittee, who is charged with review of the CDBG applications and initial recommendations to the entire HHSC, was the application for funding for the City's Blight Elimination Program. For the past several years, CDBG has funded 50% of the salary and benefit costs of a City Code Inspector to perform enhanced code enforcement in neighborhoods where blight is of particular concern. The Code Inspector spends approximately 50% of his time in these areas, working with owners on the myriad of issues associated with blighted properties. His duties also include insuring eligible homeowners are also aware of the City's housing rehabilitation and Voluntary Demolition Programs.

While the HHSC supports the goal of this program, they indicated that they would prefer to fund programs for Chandler citizens to improve their properties with CDBG funding rather than funding City Staff costs. The HHSC is recommending a $25,000 allocation for the Blight Elimination Program in Fiscal Year 2014-15 and indicated they would likely recommend zero funding in Fiscal Year 2015-16.

There were no comments made by the public.

VICE MAYOR HEUMANN closed the public hearing at 7:22 p.m.

PH3. <u>HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FISCAL YEAR 2014-15 ALLOCATIONS</u>

VICE MAYOR HEUMANN opened the public hearing at 7:22 p.m.

JENNIFER MORRISON, Director of Neighborhood Resources, briefly highlighted information in her report and the various sources for funding this program. She addressed the areas on where these funds can be used, and the recommendations from the Commission.

COUNCILMEMBER DONOVAN asked whether the New Town funds could be extended a few years out. Ms. Morrison estimated that the New Town funds would be expended by January 2016.

COUNCILMEMBER HARTKE inquired on the Habitat for Humanity request. Ms. Morrison stated that in the past two years they had received funding twice prior to this funding allocation. They have enough funds to complete two additional reconstructions. Because it takes about 9 months to complete a project and with two in their pipeline, they would not be able to expend the funds in the time frame required. They can ask for funding during the next funding allocation and would not have lost any ground in Chandler.

The City of Chandler receives federal HOME funds annually from the U.S. Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium. A total of $645,440 is available for allocation for Fiscal Year 2014-15. This is comprised of $293,292 in 2014-15 funding from the Consortium, $184,251 in reallocated Fiscal Year 2013-14 funds from the Consortium and $167,897 in one-time proceeds earned through the Deed of Trustee Sale of properties formerly owned by Community Services of Arizona (CSA). Eligible activities for HOME funds include: homeowner rehabilitation, homebuyer activities, rental housing and tenant-based rental assistance.

The City receives HOME Funds annually through the Maricopa HOME consortium. Chandler will receive $274,961 in funds to allocate to nonprofit partners and $18,331 for program administration for Fiscal Year 2014-15. This amount is an approximate five percent (5%) increase from the City's FY 2013-14 funding level.

An additional $167,897 in one-time funding is also available for allocation from proceeds from the City-initiated Deed of Trustee Sale of properties formerly owned by CSA. Another source of one-time funding has been made available to the City through the Maricopa County Consortium.

The County allocated an additional $184,251 to the City in 2013-14 HOME funds, specifically for the funding of Tenant Based Rental Assistance (TBRA) activities. Of this amount, $9,213 will be utilized for program administration. This funding was originally allocated to the Town of Gilbert who was unable to expend the funds for the program initially intended.

As part of the Fiscal Year 2014-15 social service allocations process, Staff announced the availability of HOME funding to area nonprofit housing organizations. Three applications for HOME funding were received totaling $501,144. Based on Staff input, the Housing and Human Services Commission (HHSC) reviewed and evaluated the applications and has made funding recommendations. These funding recommendations were made by the HHSC at their meeting on March 26, 2014 and are summarized in Attachment A. State, and thus the nonprofits, did not anticipate the increase in funding available for fiscal Year 2014-15 which is reflected in the amounts requested. Based on Staff input, the HHSC is confident the recommended nonprofits will be able to expend increased funding in HUD's required timeframes.

The proposed funding amounts for Chandler's Fiscal Year 2014-15 HOME program have been incorporated as a part of the City's Fiscal Year 2014-15 Annual Action Plan.

Federal regulations and Chandler's Public Participation Plan requires the City Council to hold a public hearing to collect input regarding Chandler's proposed allocation of Fiscal Year 2014-15 HOME funds. The final recommendations will be presented as a consent agenda item at the May 8, 2014 City Council meeting.

There were no comments from the public.

VICE MAYOR HEUMANN closed the public hearing at 7:30 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

B. Councilmembers' Announcements

VICE MAYOR HEUMANN announced the following events:

Relay for Life event scheduled for Friday, May 2nd at Basha High School starting at 6:00 p.m. He thanked all the participants and sponsors.

The Mayor's Health Connect Expo at Tumbleweed Recreation Center Saturday, April 12th from 9:00 a.m. to Noon.

An Easter Celebration event on Saturday, April 19th from 9:00 a.m. to Noon at Snedigar Sportsplex.

The 6th Annual Family Bike Ride scheduled for Saturday, April 26th at Chandler Park and Ride lot at Hamilton St. and Germann Rd. Registration starts at 7:30 a.m. and the ride begins at 8:30.

Grand Opening ceremony being held at Roadrunner Park starting at 10:30 a.m. for Chandler's newest neighborhood park located at 3495 E Ryan Rd.

The Vice Mayor noted that Mayor Tibshraeny's daughter will be getting married tomorrow evening.

COUNCILMEMBER WENINGER expressed his congratulations to Mayor Tibshraeny and his family and wished everyone a happy and safe Easter.

COUNCILMEMBER DONOVAN expressed her congratulations to Lauren and the Mayor's family and wished everyone a Happy Easter.

COUNCILMEMBER HARTKE expressed his congratulations to Lauren and the Mayor's family and wished everyone a Happy Easter.

COUNCILMEMBER ELLEN expressed her congratulations to Lauren, Matt and the Tibshraeny family. She announced the next Operation Welcome Home will be Monday, April 21st at 6:00 p.m. outside the City Council Chambers.

VICE MAYOR HEUMANN wished everyone a Happy Easter and Passover.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:35 p.m.

ATTEST: _____ _____
City Clerk Mayor

Approved: April 24, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 10th day of April 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 25 day of April, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, April 24, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:03 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Roger Storms – Chandler Christian Church

PLEDGE OF ALLEGIANCE: Mayor Tibshraeny led the Pledge of Allegiance.

CONSENT:

Mayor Tibshraeny noted he had received Request to Speak card for Item 3. Discussion is noted under that item.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER DONOVAN, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

COUNCILMEMBER WENINGER STATED HE WOULD VOTE NO ON ITEM 17.

MOTION CARRIED UNANIMOUSLY (7-0) with the exception noted.

1. MINUTES:

APPROVED the following Chandler City Council Minutes:

1a. Special Meeting of April 7, 2014.
1b. Study Session of April 7, 2014.
1c. Regular Meeting of April 10, 2014.
1d. Special Meeting (Employee Groups) of March 27, 2014.

2. CITY CODE AMENDMENT: Chapter 38 Ord. #4528

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4528 amending sections 38-4, 38-11, 38-12 and Appendix A of Chapter 38 of the Chandler City Code modifying certain System Development Fees and amending certain aspects of the System Development Fee process.

BACKGROUND/DISCUSSION

In order to continue to collect System Development Fees after August 1, 2014, the City must comply with Arizona Revised Statute §9-463.05, which includes updating any system development fees adopted before January 1, 2012. The City engaged Duncan Associates to update the Infrastructure Improvements Plan and prepare a report to update the City's system development fees. The report includes the recommended system development fees, as well as the Land Use Assumptions and the Infrastructure Improvements Plan, which were adopted by Council on February 13, 2014. The modified system development fees included in the report and detailed in the ordinance, are calculated by service area for arterial streets, parks, library, fire, police, public buildings, water, wastewater and reclaimed water.

The ordinance makes modifications to existing amounts and language in the City Code as follows:

- Section 38-4.B – Amended the wording describing the arterial street fee service area in accordance with changes made in the report; removed the reference limiting the service area for water resource fees since they are now part of the citywide water service area; and specified that reclaimed water fees will not be assessed on water-only (landscape) connections.
- Section 38-11.B.4 – Added language to specify how credits will be calculated for existing water meters in redevelopment situations and for fire flow meters.
- Section 38-12.D.7 - Added language to make clear that the date of final acceptance of capital facilities must be subsequent to August 1, 2014, in order to allow for allocation of credits to non-contiguous parcels in credit agreements.
- Appendix A – Amended the wording describing the arterial street fee service area in accordance with changes made in the report; removed the reference limiting the service area for water resource fees since they are now part of the citywide water service area; removed the General Fund arterial street subsidies for retail and Class A office space; updated the utility formula for meters larger than ten inches; and amended the amounts of the various fees and the areas in which they are charged.

The report incorporating the modified fees has been vetted with the Communications and Public Affairs, Information Technology and Management Services Council Subcommittee and all impacted Departments. The draft report was also provided to stakeholders representing single-family and multi-family developers, commercial builders and others, and a meeting was held in October 2013 to summarize the report and to hear and address any questions or concerns.

The report was posted on the City's website on January 27, 2014, and a link to the report was disseminated through social media. A public hearing on the modified fees was conducted on March 24, 2014, with no concerns raised. The modified system development fees will be effective Monday, July 28, 2014, just prior to the August 1, 2014, deadline imposed by State Statutes.

3. REZONING/PRELIMINARY DEVELOPMENT PLAN: McClintock & Chandler Luxury Apartments Ord. #4535

JOHN MORRIS, 4300 W. Saturn Way, said he is primarily representing the Board of Directors of Stellar Airpark in support of the rezoning application. Stellar Airpark and the developer worked closely on developing certain stipulations agreeable to the Airpark and the developer. He highlighted Stipulation No. 14 which is designed to protect the Airpark that prevents subdivision of the apartment complex moving forward into individual units. This stipulation is a key factor to the Airpark and the Board for continued support of the rezoning request.

COUNCILMEMBER WENINGER thanked Mr. Morris for his support and work.

MAYOR TIBSHRANEY affirmed with the applicant's attorney, Mr. Ed Bull, that they are agreeable with the stipulation noted.

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4535, DVR13-0047 McClintock & Chandler Luxury Apartments, rezoning from Planned Area Development (PAD) for commercial to PAD for multi-family residential.
APPROVED a Preliminary Development Plan (PDP) for site layout and building design on 10.75 acres located north and east of the NEC of McClintock Drive and Chandler Boulevard. (Applicant: Burch & Cracchiolo, Ed Bull.)

BACKGROUND
This application request includes rezoning from Planned Area Development (PAD) for commercial to PAD for multi-family residential. A PDP is included for the site layout and building design for an apartment development.

The McClintock and Chandler Luxury Apartments multi-family residential development includes an approximately 10.75-acre property with a 283-unit apartment development at approximately 26.33 du/ac.

In April 1998, the subject site was rezoned as part of a larger 14.5-acre project from Agricultural District (AG-1) to PAD (hotel/retail commercial). Community Commercial (C-2) uses were granted and a PDP for a hotel was approved on 2.8 acres with a conceptual plan for a retail shopping center. In 2000, the PAD zoning was extended for two years and eliminated the approved PDP per the applicant's request. Additional three-year time extensions on the PAD zoning were approved in 2003 and 2006. In 2009, a PDP was approved for two, 4-story hotels on the 14.5-acre site, one of which is under construction.

The project surrounds the Staybridge Suites hotel under construction at the immediate intersection corner. The site is bounded by the hotel, Chandler Boulevard, McClintock Drive, and Tyson Street. East of the subject site is the existing Chandler Court Apartments development. To the north is a single-family residential subdivision, Pepperwood/Chandler Unit 5. Espinoza's market and restaurant is located south across Chandler Boulevard as well as homes within the Pueblo Alto subdivision. West, across McClintock Drive, is vacant land zoned with an approved development plan for commercial uses as part of a larger industrial business park.

The apartment development incorporates urban design with the building's style and placement which compliments the adjacent hotel. The urban feel exists along both arterial streets with reduced building setbacks. The main entrance/exit off of Chandler Boulevard is designed with decorative pavers, a landscape planter and enhanced with Date Palm trees. The entrance leads

to the clubhouse/community office building. There is a second entrance/exit off of McClintock Drive also enhanced with Date Palm trees. The resort-style swimming pool is located behind the clubhouse and connects to a pedestrian green space. The green space includes a shade ramada, dog run and dog bath.

ARCHITECTURE AND SITE DESIGN

Similar to the Archstone Village Crossing at Chandler and The Met at Fashion Center multi-family developments, building designs are unique with contemporary urban features. The overall architectural style is represented as urban architecture with varying building mass including a series of elements such as balconies, patios, rooflines, stairways, colored wall sections and garages. Shade along wall planes is enhanced with larger decorative roofline parapet caps and recessed windows, smooth stucco finishes, metal railings, stacked brick veneer, decorative light fixtures, earth tone paint colors and varying heights of paint colors and materials develop each building's urban feel.

Three buildings are u-shaped surrounding a central parking area and/or drive aisle to garages. Two of these buildings are 3 stories and one is 4 stories. The 4-story building is closest to the 4-story hotel. There are five independent 3-story buildings in which four of them parallel adjacent streets. Unit sizes range from approximately 557-square foot studios to 1,385- square foot 2- and 3-bedroom units.

The development provides the required 481 parking spaces. A parking area is dedicated for the clubhouse/office building. Most parking spaces are either garages or covered parking with over 30 garages having direct access to units.

Monument signs are located at the two main entrances/exits and at the intersection corner of Tyson Street and McClintock Drive. The signs are designed to match building elevations with cornice details, stacked stone veneer, smooth stucco finish and paint colors. Lettering on all signs is reverse pan channel with back illumination. Two of the signs are integrated with perimeter walls and fencing. One sign is located in the McClintock Drive entrance landscape median.

The application requests deviations from Zoning Code to further enhance this multi-family residential urban designed project. Deviations are related to building setbacks, landscape setbacks, fence height, patios/balconies, and monument signage. Building setback reductions are requested adjacent to street frontage including a 25-foot reduction along Chandler Boulevard (50 feet required) and 30 feet along McClintock Drive (50 feet required).

Landscape setback reductions are requested along Tyson Street and McClintock Dive including a 5-foot reduction on McClintock Drive (20 feet required) and a 10-foot reduction on Tyson Street (20 feet required). In addition, a waiver to the landscape intersection setback at McClintock Drive and Tyson Street is requested to provide an urban feel. Buildings and fencing are not permitted in this area thus a waiver is requested to allow the building encroachment and decorative walls/fencing/monument sign into this setback.

Site walls and view fencing up to 6 feet in height are proposed within building setbacks where a maximum height of 3 feet is permitted. In addition, one monument sign up to a maximum of 4 feet high is requested within the landscape intersection setback where only 2 feet 6 inches is permitted. Signage waivers include a greater sign face area of 44 feet versus maximum 33 feet.

There are some patios/balconies that do not meet the minimum private open space diameter requirements. A waiver is requested to allow this deviation while the majority of units meet code.

The Planning Commission and Planning Staff support the waivers finding the reductions maximize the ability to specifically design a higher density, urban residential environment.

GENERAL PLAN CONFORMANCE

The General Plan Land Use Plan designates this property as Residential and within a Growth Expansion Node. The General Plan Circulation/Bicycling element designates this property as being along a High Capacity Transit corridor. The property's location is with an area planned for specialized commercial and employment with opportunities for High to Urban Residential densities or mixed-use development as well as connectivity to Frye Road and the High Capacity Transit Corridor.

Growth Expansion Nodes are specific to more compact, business accommodation growth areas and one is specifically designated at the northwest corner of Chandler Boulevard and McClintock Drive; however, land use designation boundaries as depicted on the map, do not coincide with property line boundaries. The subject site has proximity to the Chandler Fashion Center mall and industrial business parks with a strong connection to nearby shopping, entertainment and employment.

Ensuring a variety of housing choice for all income levels is Chandler's goal which includes the allowance for urban, multi-story housing and increased density in urban living arrangements. The subject site is located within an area planned for a business park setting where multi-family residential will serve existing and planned employment. The Chandler Boulevard and McClintock Drive intersection is part of the City's High Capacity Transit Corridor where higher density residential is appropriate.

DISCUSSION

The Planning Commission and Planning Staff are of the opinion that the multi-family residential development furthers the City's goal to promote higher and urban density residential to serve growth areas including the business park at the northwest corner of Chandler Boulevard and McClintock Drive.

The development's urban design represented in the buildings and site layout is unique to this area and compliments the adjacent hotel. The project's streetscape, perimeter wall/sign/entry features and urban architectural design make this an attractive project.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on February 26, 2014. There were approximately 4 area neighbors in attendance. Two neighbors were from the Stellar Board and two were from the residential area north of the subject site. The two residential neighbors were supportive of the request. Staff has received no correspondence in opposition. Prior to the scheduled neighborhood meeting, the applicant and representatives of Lennar Multi-Family had numerous meetings and correspondence with the Stellar Runway Utilizers Association Board. The applicant and Planning Staff are not aware of any outstanding issues or opposition from this board. The applicant has requested Planning Staff include specific zoning conditions agreed upon with the Stellar Board which are included in the recommendations.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDATIONS

Rezoning

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to conditions as listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "McClintock and Chandler Luxury Apartments", kept on file in the City of Chandler Planning Services Division, in File No. DVR13-0047, except as modified by condition herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

4. ACQUISITION IN FEE: NEC of Kyrene Road and 202 Res. #4709

ADOPTED Resolution No. 4709 authorizing the acquisition in fee of approximately 43,048 square feet of land from the State of Arizona, Arizona Department of Transportation (ADOT) located near the NEC of Kyrene Road and State Route 202 for $15,264.24, plus closing costs of approximately $1,800.00; and authorizing the Real Estate Coordinator to sign the purchase agreement and any other documents necessary to facilitate and complete this transaction.

BACKGROUND/DISCUSSION

The Municipal Utilities Department has completed construction of the West Chandler Force Main, Project No. WW-1012, which required extending piping under State Route 202 from north to south. In order to accommodate the construction of the Force Main, the City entered into an agreement with the Arizona Department of Transportation (ADOT) that allowed the City to use a previously installed conduit to construct for this purpose. There was an understanding that the City would acquire a portion of ADOT's surplus property once the work was completed. Acquisition of this parcel will provide access for future maintenance, service, and security for the facilities. The site consists of approximately 43,048 square feet of excess land owned by the State of Arizona, Arizona Department of Transportation (Seller) located on the north side of State Route 202 just east of Kyrene Road. The City has reached an agreement with the Seller to purchase this parcel for its appraised value of $156,264.24 (approximately $3.63 per square foot) plus closing costs of approximately $1,800.00. The City is also receiving a 20-foot wide ingress/egress easement from the Seller at no extra cost to provide access to the parcel from Kyrene Road.

The purchase price was based upon an appraisal provided by the Seller and was reviewed by Staff. Staff has determined that the purchase price is fair and in the public's best interest.

5. INDUSTRY/UNIVERSITY AGREEMENT: AZ Board of Regents Res. #4723

ADOPTED Resolution No. 4723 authorizing the Industry/University Cooperative Research Center Membership Agreement with the Arizona Board of Regents, for and on behalf of Arizona State University (ASU), and the City of Chandler in the amount not to exceed $15,000.00 per year.

BACKGROUND
In 2009, Arizona State University (ASU) partnered with Temple University and the University of Arizona to establish the Water and Environmental Technology Center (WET). WET's mission is to develop technologies and methods to better manage contaminants in water supplies. WET is funded by private and public entities. WET has completed studies on water treatment, sustainability, reuse, recharge, forest fire impacts on water quality, taste and odor causing compounds in the canal system, and personal care products in source water.

In 2011, the City of Chandler joined WET as a non-member participant. WET non-member participants are only allowed limited access to minimal final reports. If the City upgrades its status to a "Member", the City will become a voting member on the WET Board, receive full access to all ongoing research and the ability to review unpublished reports.

The initial membership term is July 1, 2014 to June 30, 2015. As part of the agreement, the City's membership automatically renews, for there one-year terms. The City may cancel its annual renewal by providing a 90-day written notice prior to the termination date.

6. PIPELINE CROSSING AGREEMENT: Union Pacific Railroad Res. #4746

ADOPTED Resolution No. 4746 authorizing the execution of a Pipeline Crossing Agreement with the Union Pacific Railroad (UPRR), at no cost, for the construction of a reclaimed water line in conjunction with the Ocotillo Road Improvements.

BACKGROUND/DISCUSSION
The construction of the Ocotillo Road Improvements Project from Arizona Avenue to McQueen Road requires the construction of a reclaimed water line at the UPRR crossing. The City is required to enter into a Pipeline Crossing Agreement with UPRR for construction, maintenance and operation of the reclaimed water line. Construction of the roadway improvements is anticipated to begin in August 2014.

7. WIRELINE CROSSING AGREEMENT: Union Pacific Railroad Res. #4747

ADOPTED Resolution No. 4747 authorizing the execution of a Wireline Crossing Agreement with the Union Pacific Railroad (UPRR), at a cost of $4,430.00, for construction of traffic signal fiber interconnection in conjunction with the Ocotillo Road Improvements.

BACKGROUND/DISCUSSION
The construction of the Ocotillo Road Improvements Project from Arizona Avenue to McQueen Road requires the construction of traffic signal fiber interconnect at the UPRR crossing. The City is required to enter into a Wireline Crossing Agreement with UPRR for construction, maintenance,

and operation for the fiber interconnect. Construction of the roadway improvements is anticipated to begin in August 2014.

8. ISSUANCE AND SALE OF STREET AND HIGHWAY BONDS Res. #4749

ADOPTED Resolution No. 4749 authorizing the issuance and sale of not to exceed $10,000,000.00 Street and Highway User Revenue Refunding Bonds, Series 2014.

BACKGROUND
The resolution, as prepared by the City's Bond Counsel Gust Rosenfeld, authorizes the issuance and sale of not to exceed $10,000,000 aggregate principal amount of City of Chandler Street and Highway User Revenue Refunding Bonds, Series 2014, and authorizes the Management Services Director to determine whether it is in the City's best interest to sell the Series 2014 Bonds in a competitive bid or through a negotiated sales.

DISCUSSION
Current interest rates offer an opportunity to refinance a portion of the City's debt by refunding bonds previously issued and outstanding; specifically Street and Highway User Revenue Bonds, Series 2003 and 2004, allowing the City to realize debt service savings. This will reduce the amount of debt service expenses paid from the Highway User Revenue Bond Fund, thereby providing additional funds to be used for street-related purposes. The final interest rates will affect the principal amount needed to refund the prior bonds, thus the resolution authorizes the maximum principal amount that may be sold. The final principal amount will be determined when the actual interest rate is established.

FINANCIAL IMPLICATIONS
The resolution authorizes the refunding of the City's outstanding Street and Highway User Revenue Bonds if the savings are at least 3% of the principal amount of the bonds being refunded. Depending upon the final issue size, this refunding is expected to generate net debt service savings to the City of approximately $400,000 in present value dollars. The savings are net of all costs of issuance.

9. ISSUANCE AND SALE OF WATER AND SEWER BONDS Res. #4750

CONTINUED TO MAY 8, 2014 Resolution No. 4750 authorizing the issuance and sale of not to exceed $20,000,000.00 Water and Sewer Revenue Refunding Bonds, Series 2014.

BACKGROUND
The resolution, as prepared by the City's Bond Counsel Gust Rosenfeld, authorizes the issuance and sale of not to exceed $20,000,000 aggregate principal amount of City of Chandler Water and Sewer Revenue Refunding Bonds, Series 2014, and authorizes the Management Services Director to determine whether it is in the City's best interest to sell the Series 2014 Bonds in a competitive bid or through a negotiated sales.

DISCUSSION
Current interest rates offer an opportunity to refinance a portion of the City's debt by refunding bonds previously issued and outstanding; specifically Water and Sewer Revenue Bonds, Series 2001, 2003 and 2005, allowing the City to realize debt service savings. This will reduce the amount of debt service expenses paid from the Water and Wastewater Operating Funds, thereby providing savings to the City ratepayers.

The final interest rates will affect the principal amount needed to refund the prior bonds, thus the resolution authorizes the maximum principal amount that may be sold. The final principal amount will be determined when the actual interest rate is established.

FINANCIAL IMPLICATIONS

The resolution authorizes the refunding of the City's outstanding Water and Sewer Revenue Bonds if the savings are at least 3% of the principal amount of the bonds being refunded. Depending upon the final issue size, this refunding is expected to generate net debt service savings to the City of approximately $1,400,000 in present value dollars. The savings are net of all costs of issuance.

10. GRANT AGREEMENT: ADOT Res. #4751

ADOPTED Resolution No. 4751 authorizing a grant agreement with the Arizona Department of Transportation (ADOT) accepting grant number E4F3Z in the amount of $19,311.00 as the State's share for the rehabilitation of the Airport Santan Apron and the rewiring of the Taxiway A lighting circuit.

BACKGROUND/DISCUSSION

In September 2013, the Airport received a Federal Airport Improvement Program (AIP) grant offer in the amount of $393,380 for two projects. The first project was to repair significant cracks in the aircraft parking area known as the "Santan Apron". The second aims to replace wiring in the Taxiway "A" lighting system. The estimated total cost of both projects is $432,000. The Federal grant represented 91.06% of total project costs. The City recently received notification of a State grant offer (ADOT Grant Number E4F3Z) in the amount of $19,311, or approximately 4.47% of the project cost.

AIRPORT COMMISSION

During their regular meeting held on April 9, 2014, the Airport Commission voted unanimously 5 – 0 to forward a recommendation for the City to enter into this grant agreement with ADOT.

FINANCIAL IMPLICATIONS

These projects are in the current 5-year Capital Improvement Program (CIP). Staff has identified the remaining $19,309 (4.47%) local matching share in the Airport Operating Fund and Airport Bond Fund.

11. AREA PLAN AMENDMENT/REZONING/PRELIMINARY DEVELOPMENT PLAN: Waters at Ocotillo and Siena at Ocotillo Res. #4754 & Ord. # 4534

ADOPTED Resolution No. 4754, APL14-0003 Waters at Ocotillo Area Plan Amendment, for parcel 7 from Commercial Office/Retail development to Single-Family Residential.

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4534, DVR13-0043 Siena at Ocotillo, rezoning from Planned Area Development (PAD) for commercial office/retail to PAD for attached single-family residential.

APPROVED a Preliminary Development Plan (PDP) for a 76-unit condominium development on approximately 7.7 acres at the SEC of Dobson Road and Market Place. (Applicant: Chris Clonts; Standard Pacific Homes.)

BACKGROUND

The subject site is triangular in shape and is encumbered by two street frontages. North and east of the site is multi-family and single-family development currently under construction; south is the existing Corona del Mar II single-family residential subdivision; west and northwest are the Orbital campuses.

AREA PLAN AMENDMENT

The subject site is part of the Waters at Ocotillo Area Plan that was adopted by Council in early 2007. The Waters at Ocotillo Area Plan is a portion of the larger Ocotillo master-planned community. The area plan is generally located near the intersection of Price and Dobson roads and is bounded on the east by Jacaranda Parkway and the Market Place loop, on the west by Price Road, on the north by existing apartments and the Downtown Ocotillo commercial, hotel, and residential development and on the south by the existing Corona del Mar II single-family subdivision. The area plan currently designates the site for commercial office and retail development, whereas the amendment is to change the designation to single-family residential.

SITE LAYOUT

The request is to rezone the property from commercial for office and retail development to single-family residential. The gated development proposes 76 condominiums with an overall density of 9.84 dwelling units per acre. The condominiums will be constructed in a 3-, 4-, 5- and 6-plex configuration. The homes will be designed in a townhome fashion (having outdoor private space), but will be platted as condominiums (to address utilities). The gated condominium development provides a single point of access off of Market Place with a secondary means for emergency access and egress at the southeast end of the development along Market Place.

The residential units will face Market Place, but will side up to Dobson Road in an effort to prevent long building planes along Dobson Road. Along Dobson Road, the units are designed in a motor court fashion where vehicles will enter on a single drive and pull into their respective garages; the front doors of the buildings are all located in a landscaped setting opposite of the motor courts. Three perimeter wall designs are provided that incorporate a 6' solid wall, 2' view fence over 4' solid, and 4' view fencing over 2' solid. Landscaping treatments and the perimeter wall designs have been reviewed and approved by the Ocotillo Design Review Board.

The community pool area is located at the terminus of the main entry, with a secondary active play area located at the southeast corner of the site. The secondary amenity area includes seating areas, a small loop walking path, climbing boulders, a small tot lot, synthetic mounds and a tunnel. Additionally, based on the configuration of the residential units and architectural design, outdoor living space facing adjacent buildings presents the opportunity for gathering areas in the front of the residential units. Within the outdoor area, between the fronts of the buildings, are pedestrian paths that lead to the residential units. Courtyards at the entrances of each unit are provided; half of the end units will have wrapping courtyards.

Based on the development being a gated community and the internal streets having a reduced width (consistent with design standards), parking concerns often arise. As shown in the parking exhibit of the development booklet, each unit provides a two-car garage with many of the units also providing a full driveway for parking. In the *Parking and Waste Management Plan*, details are provided allocating guest parking throughout the development. It should be noted that the width of the parallel parking stalls along the southern end of the development are reduced in width from ten feet to eight feet wide (typical 90 degree stall is nine feet wide); however, the reduced width is consistent with similar developments offering parallel parking.

BUILDING ARCHITECTURE

As mentioned, the condominium buildings are designed in a 3-, 4-, 5- and 6-plex configuration. Architectural styling is based primarily on Santa Barbara influences consistent with the Waters at Ocotillo community. Elements will include arched windows, shutters, red tile barrel roofs, iron window planters, various tile accents and varying front door and garage door designs. Additionally, provisions are provided that allow for trellis options within the courtyard area.
The trellis designs will be restricted through the homeowner's association, therefore ensuring conformity with the Santa Barbara themed architecture.

Floor plans range from 1,539 up to 1,875 square feet and offer 3-4 bedrooms. As is typical with condominium developments, unit sizes and location within the individual buildings tend to be consistent from building to building creating a monotonous building design; however, the development team has designed the buildings so that the roof planes and building fronts vary. Additionally, side elevations are treated so as to provide variety throughout the community. Lastly, garage door designs are included that provide different designs per unit.

The Planning Commission and Planning Staff support the request. The area plan amendment is appropriate finding the site's commercial viability greatly diminished following the surrounding area's developmental evolution. The amendment of other former commercial parcels within the Waters at Ocotillo Master Plan ultimately resulted in the isolation of the subject site for non-residential land uses. Accordingly, the Planning Commission and Planning Staff support the Rezoning and PDP requests finding that the use is consistent with the zoning and that the overall design presents a very attractive addition and housing option to the Ocotillo area.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code. Two neighborhood meetings were held with the first being held on November 13, 2013. There were 21 neighbors in attendance in general support. The second meeting was held on March 19, 2014. There were 5 neighbors in attendance also in general support. Planning Staff has received one email through the Mayor's Office expressing opposition and stating preference to the current office use. The concerns expressed related to the increased traffic that the development will potentially generate over office development.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6-0 with Commissioner Baron abstaining.

RECOMMENDED ACTIONS
Area Plan
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

Rezoning
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Development shall be in substantial conformance with the Development Booklet entitled "SIENA AT OCOTILLO", kept on file in the City of Chandler Planning Division in File No. DVR13-0043, except as modified by condition herein.

12. No item.

13. ASSESSMENT MODIFICATIONS: Downtown Chandler Enhanced Municipal District Res. #4757

ADOPTED Resolution No. 4757 authorizing modification of the assessments diagram; making a statement and estimate of expenses for the Downtown Chandler Enhanced Municipal District; completing the assessment; setting the date for the Hearing of the Assessment; and ordering the Giving of Notice of such Hearing, and authorizing the City Manager or his designee to execute all relevant documents; and superseding Resolution No. 4744 adopted by the Chandler City Council on March 27, 2014.

BACKGROUND
This was originally presented to Council at the March 27, 2014, Council meeting. In the meantime, Staff was informed by the Downtown Chandler Community Partnership (DCCP), that the Notice of Public Hearing was not mailed in accordance to the State Statute, which requires twenty-day notification. Staff is requesting approval of Resolution No. 4757 in order to proceed as required.

BACKGROUND
On May 25, 2006, City Council approved Resolution No. 3971 creating the Downtown Chandler Enhanced Municipal Services District, with the mission to provide marketing, promotion, security, enhanced beautification and district management. The City subsequently executed a master contract with the Downtown Chandler Community Partnership (DCCP) to perform such services for a period of 10 years. Fiscal Year 2014-15 represents the 9th operating year of the District.

As part of the annual assessment procedures, each year the Assessment Diagram and Assessment Roll need to be updated due to changes in ownership, plats and land uses. Additionally, a public hearing must be held along with the opportunity for District property owners to file objections.

DISCUSSION
As required by Resolution No. 3971, which created the District, the following documents are submitted with is report: 1) Resolution No. 4757; 2) Notice of Hearing on Assessments; 3) Boundary Map; 4) Statement and Estimate of Expenses for the District; 5) Assessment Roll; and 6) Assessment Diagram.

The purpose of Resolution No. 4757 is to set the Public Hearing to notify property owners of the intent to modify the Assessments for property in the District, a required formal step. This Resolution also authorizes the City Council to make an estimate of the expenses for the District for 2014-2015, to set the date for the hearing on the Assessment and to give the Public Notice of the hearing date.

As a result of Resolution No. 4757, the hearing for the setting of the Assessments will be held May 22, 2014, at 7:00 p.m. in the City Council Chambers. DCCP Staff will appropriately notify all

property owners within the District boundary and the City will publish the notice of the hearing in a daily newspaper for five days as required by State Statute.

Assessments in the District will be based on three weighted factors including assessed value, building square footage and land square footage.
All properties will be assessed at the same rate with the exception of buildings along the Historic Square, which will be assessed double the building square footage rate.

Also in May, Staff will return with a Resolution to approve the Annual Assessment Roll, which will memorialize the amount assessed to each parcel and property owner. After City Council approval, the roll is sent to the County Assessor for inclusion on the fall property tax bills. In June, Staff will present the Chandler Enhanced Municipal Services Agreement with the DCCP for Fiscal Year 2014-2015, which includes an Operating Plan and District Budget.

FINANCIAL IMPLICATIONS
The total assessments for Fiscal Year 2014-2015, including the City's voluntary contribution, total $243,794.00. This is a small decrease ($5,970.00) from the prior year driven by changes in assessed valuations. Given the success of the DCCP in building profitable events, the FY 2014-2015 operating budget for the District may exceed this amount to stay in compliance with the contract reserve policy. The final amount will be presented to the City Council in May as part of the DCCP contract with the City for District management services.

As a public entity, the City is not required to pay into the District assessment, but has done so since the District's inception on a voluntary basis. As the largest single property owner in the Downtown, the City has taken a leadership role in supporting the District both financially and operationally. As in prior years, the City has elected to cap its voluntary contribution at the level contributed in the prior year. This means the City's maximum contribution is $118,804.00, which represents 48.7% of the total assessment budget. Funds to provide the City's voluntary contribution are provided for in the Downtown Redevelopment budget request for Fiscal Year 2014-2015.

14. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Airport Commission
Frank Nechvatal (Reappointment)
David Sperling (Reappointment)

Arts Commission
Jose Benavides (Reappointment)
Mary Lynne Lasure (Reappointment)
Ethel Penny Ross (Reappointment)

Board of Appeals

Roger Stage (Reappointment)
Lynne Bourne (Reappointment)

Architectural Excellence
Patti Bruno (Reappointment)
Maria Cadavid (Reappointment)

Board of Adjustment
Dean Ouellette (Reappointment)
Kathleen McAlpine (Reappointment)
Bill Vasquez (Reappointment)

Citizens Panel for Review of Police Complaints and Use of Force
James Dixon (Reappointment)
Terry Roe (Reappointment)
Frank Keough (Reappointment)
Leslie Pitts (Reappointment)
Robert Burnett (Reappointment)

Cultural Foundation Board
David Woodruff (Reappointment)
Steena Murray (Reappointment)
Anne DeRose (Reappointment)
Barbara Meyerson (Reappointment)
Richard Frazier (Reappointment)

Domestic Violence Commission
Nicole Bruno (Reappointment)
Yvonne Taylor (Reappointment)
Ruth Tan Lim (Reappointment)

Economic Development Advisory Board
Andrew Weingartner
Scott Taylor (Reappointment)
Mike Flanders (Reappointment)
Tim Bricker (Reappointment)
Ward Andrews (Reappointment)

Health Benefits Trust Board
Kelly Tincher (Reappointment)

Housing & Human Services Commission
Justin Lisonbee (Reappointment)
William Wallace (Reappointment)
Rick Becker (Reappointment)
Tammy Clow-Kennedy (Reappointment)

Human Relations Commission
Sharyn Younger
Cynthia Hardy (Reappointment)
Treva Free-Kimbrough (Reappointment)
Norma Garcia-Torres (Reappointment)

Library Board
Lisa Blyler (Reappointment)

Mayor's Committee for the Aging
John McNelis (Reappointment)
George Pace (Reappointment)

Mayor's Committee for People With Disabilities
Joan Barron (Reappointment)
Amanda Frisard (Reappointment)

Mayor's Youth Commission
Alex Yuwen
Shelby Colson
Niharika Karnik
Heba Shiban
Lydia Chew
Jocelyn Alvar
Hannah Miao
Exta Patel
Shivam Bhanvadia
Ishaan Mehta (Reappointment)
Connie Zhu (Reappointment)

Merit Board
Chris Love
Michael Warren
Kiup Kim (Alternate)
David Burks (Reappointment)
Bill Dahlberg (Reappointment)
Darrell Guynes (Reappointment)
Daniel Pote (Reappointment - Alternate)
Clessene Heil (Reappointment - Alternate)

Museum Advisory Board
Andrew Szabo (Reappointment)
Riger Lidman (Reappointment)

Neighborhood Advisory Committee
Larry Arthrington (Reappointment)
Dane Cutting

Parks and Recreation Board
Linda Peterson Price (Reappointment)

Planning and Zoning Commission
Bill Donaldson (Reappointment)
Matthew Pridemore (Reappointment)

Public Safety Personnel Retirement System
Local Board: Police
Dan Pote (Reappointment)
Jim Roxburgh (Reappointment)

Public Safety Personnel Retirement System
Local Board: Fire
Dan Pote (Reappointment)
Jim Roxburgh (Reappointment)

Transportation Commission
Tricia Gillam
Leigh Rivers
Ben Schwatken (Reappointment)
James Symonds (Reappointment)

Worker's Compensation and Employer Liability Trust Board
Kelly Tincher

15. 2013 CELEBRATION PLAZA HONOREE RECOMMENDATIONS

APPROVED the following 2013 Celebration Plaza Honorees as recommended by the Parks and Recreation Board: Chandler Lions Club and Former Mayor Coy Payne.

- **Chandler Lions Club** – The Chandler Lions Club has been dedicated to serving the Chandler community through humanitarian service programs that improve the health and well-being of fellow community members. The group has provided thousands of free eye exams and eyeglasses to needy K-12 students, helped build the first hospital in Chandler, provided for disabled individuals to attend Camp Tatiyee, ad collected and recycled thousands of used eyeglasses for missions to third world countries. The group also furnished a major picnic ramada at Arrowhead Park and has co-sponsored and produced the annual Fourth of July Festivals at Tumbleweed Park. Lions Club volunteers have given of their time, talents and efforts to support the disabled and the needs, and to make the community a better place.

- **Former Mayor Coy Payne** – As a long-time resident, former teacher and administrator, former City Councilmember and Mayor Coy Payne has been a community leader for many years. Coy grew up as part of a poor, farm worker family in the historic "south Chandler" neighborhood, experiencing racial segregation for many years. Coy graduated from Phoenix's all-black George Washington Carver High School (the only school he could attend) at the top of his class in 1949. He attended ASU briefly and then served in the Korean War, in the Army's combat infantry. By 1954, he had married a Chandler girl (Willie Woods Payne) and re-entered ASU using the G.I. Bill. Coy earned a Bachelor's degree in Education and began teaching at Chandler's Winn Elementary School. He continued with the Chandler Unified School District and eventually served as Chandler Junior High's Assistant Principal.

  While a teacher, Coy became involved in civic service by joining the first Human Relations Commission in the early 1960s. He also helped create and head Chandler's Housing Authority, which developed and oversaw the first public housing in the City. He then served on the Parks and Recreation Board and was instrumental in establishing the swimming pool and other amenities at Folley Park. Coy then joined the Chandler City Council in 1982. He served on the Council until 1990, when he completed a successful campaign for Mayor. This election placed him in the history books as the first African American Mayor in Chandler and in the state of Arizona. He served as Mayor until 1994.

During his time in office, he led the Council in the development of City infrastructure; expanding park spaces, recreational facilities and cultural amenities; and piloted the first recycling program. He led the City in developing regional transportation and a regional mall. As Mayor, Coy was known for his strong role as facilitator and consensus builder, allowing the City to develop in a positive direction during the early 1990s. One submission states, "Born in the difficult times of pre-Civil Rights and segregation, Coy Payne never allowed the shallow ideas of others to prevent him from achieving his goals. As the first African American Mayor, he served all the people. Chandler and all of Arizona are better because of Coy Payne."

BACKGROUND/DISCUSSION

Each year, the City of Chandler accepts nominations from the public for inductees into Celebration Plaza, a permanent monument at Tumbleweed Park.

Constructed in 2006, Celebration Plaza features a fountain and a decorative wall with brass plaques honoring Chandler residents, living or deceased, who have displayed outstanding civic commitment, leadership, innovation, public outreach and service to the City. Individuals holding an elected City of Chandler office or serving on the Parks and Recreation Board are not eligible for nomination.

Staff received two nominations during this year's nomination process. The subcommittee evaluated the nominations based on the following criteria:

- Community leader(s) whose outstanding personal service has resulted in significant and enduring contributions to the community.
- An individual or individuals who have made exceptional contributions to the City of Chandler.
- An individual or individuals who have added to the quality of life for Chandler residents through their involvement or financial contribution to short- or long-term City projects or activities.
- An individual who has demonstrated leadership, innovation and creativity, which have made Chandler a better place to live and work.
- City of Chandler employees killed in the line of duty and local heroes.

The 2013 nominees will be honored at an induction ceremony this fall.

Past inductions include:

2007 - Lenford C. Calley, Officer Robert J. Nielsen, Henry Salinas
2008 - Chandler Service Club
2009 - Eddie Basha
2010 - Patti Bruno, Marty Wright, Officer Carlos Ledesma, Dave McDowell, Lowell Huggins
2011 - Najeeby Basha, Jerry Brooks
2012 - Chandler Compadres, John Dick

The subcommittee recommendations for 2013 were presented to the Parks and Recreation Board at their March 4, 2014 meeting. The Board endorsed the recommendations and unanimously voted to recommend them to the City Council for approval.

16. CLAIMS REPORT

APPROVED the Claims Report for the quarter ended March 31, 2014.

17. CONTINGENCY TRANSFER

Councilmember Weninger voted no on this item.

Approved (6-1) a contingency transfer of General Fund Non-Departmental Contingency appropriation to the Solar Energy program in the General Capital Projects Fund for solar services agreements in the amount of $700,278.00.

BACKGROUND
On April 10, 2014, Council approved solar service agreements with SolarCity related to solar array projects for the Downtown Chandler Public Library and the Police Property Evidence Building. In order to complete these projects, funding must come from the General Fund 12% Contingency, which requires Council approval.

18. AGREEMENT AMENDMENT: W.C. Scoutten, Inc.

APPROVED Agreement, Project No. 3359, Amendment No. 1, with W.C. Scoutten, Inc., for professional services for Civil Plan Review and City Planning Services in an amount not to exceed $54,800.00, for a total contract amount not to exceed $79,800.00.

The Civil Plan Review Group, within the Transportation & Development Department, is responsible for reviewing all engineering design plans, plats and requests for minor land divisions for private development projects and design plans for City funded capital projects.

Recent Staff vacancies have created a short-term workload issue within the group. Senate Bill 1598, which was passed by the State legislature, mandates that permit reviews be completed within a fixed period of time or the City may risk having to refund fees for reviews that exceed published deadlines. In addition, we strive to maintain a high level of customer service where private development projects with tight deadlines are reviewed in half the normal time frame.

The contract was initially executed in the amount of $25,000 to ensure that current service levels could be maintained. The additional funding being requested will allow us to continue to serve customers until at least one vacancy is filled within the work group.

19. AGREEMENT AMENDMENT: Otto Logistics, LLC

APPROVED Agreement No. MU2-962-2991, Amendment No. 1, with Otto Logistics, LLC, for operation of the City Recycling-Solid Waste Collection Center (RSWCC) and transportation of bulk waste, in an amount not to exceed $219,885.80 per year.

Since approval of the agreement on July 6, 2012, operational changes have occurred at the RSWCC and at the Ocotillo Brine Reduction Facility (OBRF) requiring amendment of the agreement. Currently, Solid Waste Services is operating a pilot program at the RSWCC for diverting clean green waste from landfill disposal. Staff of Otto Logistics loads the green waste at the RSWCC and hauls the green waste to an organics recycling facility, Waste Management Sierra Estrella in Maricopa, Arizona. Additionally, the OBRF has undergone extensive plant expansion that now includes a lime softening process. The bulk sludge produced from this process is loaded and hauled to Waste Management Butterfield Landfill. Otto Logistics provides

the equipment and vehicles necessary for loading sludge and transporting to the landfill for disposal.

20. AGREEMENT AMENDMENT: Water/Wastewater Equipment Repair and Maintenance

APPROVED Agreement No. WA0-963-2649, Amendment No. 4, with Phoenix Pumps, Inc., Foster Electric Motor Service, Inc., Arizona Pneumatic Systems, Inc., Gilbert Pump & Equipment Co., Weber Water Resources, LLC, Precision Electric Co., Inc., Keller Electrical, Inc., Layne Christensen Company, and Hennesy Mechanical Sales, LLC, for water/wastewater equipment repair and maintenance, for one year, in a combined total amount not to exceed $1,900,000.00.

21. PURCHASE: Envelopes

APPROVED the purchase of envelopes from Arizona Envelope Company, utilizing the State of Arizona contract, in an amount not to exceed $65,000.00.

22. USE PERMIT: Original Chopshop Co.

APPROVED Use Permit LUP13-0019 Original Chopshop Co., Series 7 Beer and Wine Bar License, to sell and serve liquor as permitted for on- and off-premises sales, and a Series 12 Restaurant License for on-premise sales for a new restaurant with outdoor dining in downtown Chandler at 35 W. Boston Street, west of Arizona Avenue and south of Chandler Boulevard. (Applicant: Andrea Lewkowitz, Lewkowitz Law Office.)

BACKGROUND

The application requests Liquor Use Permit approval to sell and serve liquor as permitted under a Series 7 Beer and Wine Bar license for on- and off-premises sales, and a Series 12 Restaurant license for on-premise sales for a new restaurant with outdoor dining. The Series 7 license is currently approved on this property through a prior Liquor Use Permit in October 2005 for the former Bistro at Kokopelli Winery. The prior Series 7 license approval included a zoning condition prohibiting beer from being sold for consumption off-premises. The tenant space is under renovation for a new restaurant named Original ChopShop Co. which intends to sell local and boutique beer and wine for on- and off-premise consumption. The business requests a new Series 7 Liquor Use Permit for their restaurant and the allowance of off-premise sales and consumption. State Statute limits off-premises sales to 30% of the total annual amount of on-premises sales. The Series 12 Liquor Use Permit allows the on-premises sales and consumption of all types of spirituous liquor and at least 49% of the restaurant's sales are from food.

Downtown Chandler is a third location for Original ChopShop Co. The restaurant concept is a health-conscious, fast-casual, breakfast, lunch and dinner establishment. The business intends to be open from 7 a.m. to 10 p.m. Monday through Saturday and 7 a.m. to 8 p.m. on Sundays. There will be no live music or entertainment, pool tables, dancing, or the like. The restaurant is approximately 4,150 square feet with 50 seats indoors and 40 seats outdoors.

In January 2014, Planning Staff managed an Architectural Review Committee (ARC) application for façade renovations. The ARC request was approved and the building is currently undergoing renovations. The restaurant's two patios will include indoor/outdoor seating and counter tops.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on March 19, 2014. There were no neighbors in attendance. The Police Department has been informed of the application and responded with no concerns. Planning Staff has received no correspondence in opposition; however, one email was received from a downtown property owner stating their support for the Liquor Use Permit.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion, modification or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar license and a Series 12 Restaurant license only and any change of licenses shall require re-application and new Liquor use Permit approval.
3. The Liquor Use Permit is non-transferable to other locations.
4. The site and patios shall be maintained in a clean and orderly manner.

23. LIQUOR LICENSE: Original Chop Shop Co.

APPROVED a Series 7 Beer and Wine Bar Liquor License (Chandler #149520 L7) for Andrea Dahlman Lewkowitz, Agent, Chop Shop Chandler LLC, dba Original Chop Shop Co., 35 W. Boston Street, Suite 1. A recommendation for approval of State Liquor License #07070623 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

24. LIQUOR LICENSE: Original Chop Shop Co.,

APPROVED a Series 12 Restaurant Liquor License (Chandler #149520 L12) for Andrea Dahlman Lewkowitz, Agent, Chop Shop Chandler LLC, dba Original Chop Shop Co., 35 W. Boston Street, Suite 1. A recommendation for approval of State Liquor License #12079837 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

25. LIQUOR LICENSE: Silk True Asian

APPROVED a Series 12 Restaurant Liquor License (Chandler #152056 L12) for Watchuree Gerding, Agent, Silk True Asian LLC, dba Silk True Asian, 4995 S. Alma School Road, Suite 1. A recommendation for approval of State Liquor License #12079830 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Blu Burger Grill.

26. LIQUOR LICENSE: Ranchero Mexican Grill 2

CONTINUED TO MAY 8, 2014 a Series 12 Restaurant Liquor License (Chandler #152474 L12) for Elizabeth Albuja, Agent, Byliel, Inc., dba Ranchero Mexican Grill 2, 757 E. Chandler Boulevard.

27. LIQUOR LICENSE: 18 Degrees Express

APPROVED a Series 12 Restaurant Liquor License (Chandler #152563 L12) for Randy D. Nations, Agent, BDU 45 LLC, dba 18 Degrees Express, 7225 W. Harrison Street. A recommendation for approval of State Liquor License #1207856 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Chandler Polar Ice.

28. TEMPORARY EXTENSION OF PREMISES: Sandbar Mexican Grill

APPROVED a Temporary Extension of Premises for a Series 6 Bar Liquor License (Chandler #125366 L6) held by South Sand LLC, dba Sandbar Mexican Grill, 7200 W. Ray Road. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #0607188 will be forwarded to the State Department of Liquor Licenses and Control. The temporary extension of the alcohol serving area is for a Cinco De Mayo Celebration on May 3, 4 & 5, 2014. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

29. CONTINUED LIQUOR LICENSE: Fazio's Catering and Event Center

CONTINUED TO MAY 22, 2014, a Series 6 Bar Liquor License for Angela Fazio, Agent, Fazio's Catering and Event Center LLC, dba Fazio's Catering and Event Center, 700 W. Warner Road, to allow the applicant time to complete the requirements for a new Use Permit.

30. FINAL PLAT: Circle K Riggs Road & Arizona Avenue

APPROVED Final Plat FPT14-0002 Circle K Riggs Road & Arizona Avenue, for a commercial center that includes a fuel station and a convenience store at the SEC of Riggs Road and Arizona Avenue. (Applicant: Helix Engineering, LLC.)

This Final Plat is for a commercial center that includes a fuel station and a convenience store for a site that received zoning approval in February 2013. The plat creates the lot and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PUBLIC HEARING

PH1. ELECTION FOR LOCAL ALTERNATIVE EXPENDITURE LIMITATION – HOME RULE OPTION

The Mayor opened the public hearing at 7:08 p.m.

GREG WESTRUM, Budget Manager, provided a brief presentation regarding Home Rule, what it allows the City to do regarding the Operating Budget and how procedurally this is approved. In order for the Home Rule option to be placed on the August 26th ballot, Council must adopt a resolution by at least a two-thirds majority vote. He noted that the residents of Chandler have been voting in favor of the Home Rule Option for the last eight elections.

The Home Rule Option allows the Council to base the City's budget on its revenues, not a state imposed limit, which is much less, and because of this, the Council is able to provide services at the level the residents expect and want from the City.

On June 3, 1980, the State of Arizona placed a new expenditure limitation on cities and towns. Arizona Revised Statutes (A.R.S.) prescribe a maximum spending limit based upon a formula incorporating expenditures in Fiscal Year 1979-80, adjusted for increases in population and inflation and allowing certain expenditure exclusions. A.R.S. also provides several alternatives to the State imposed spending limitations. Since 1982, the City of Chandler has adopted the alternative expenditure limitation referred to as the "Home Rule Option" which allows the City to establish its own expenditure budget based upon anticipated revenues and expenditures.

The alternative expenditure limitation "Home Rule", frees the community from any ties to the State imposed limitation and permits the Mayor and Council, along with the local electors of the community, to decide programs, service levels and methods of financing capital improvements. The Home Rule option must be adopted by resolution with a two-thirds Council majority vote and approved by a majority of the voters.

This public hearing is the second of two required by A.R.S. before Council can adopt a resolution to place the Home Rule option on the August 26, 2014 Primary Election ballot. If approved by the voters, the Home Rule alternative budget would begin with the FY 2015-16 Budget and be effective for four years. Following this public hearing, Council will be asked to approve placing the Alternative Expenditure Limitation on the ballot by approving Resolution No. 4752.

Public notice of the two public hearings to discuss the Home Rule option was published in the Arizona Republic newspaper on two different dates, as required by A.R.S., and has been posted on the City's web site. Chandler voters have approved the Home Rule option eight consecutive times since 1982, with the most recent Home Rule election approved in November 2010.

The maximum spending limitation using the State formula for the first effective year, FY 2015-16, is $220,971,405 plus $246,384,295 for certain estimated excludable items such as bond proceeds, interest income and grants for a total of $467,355,700. This compares to an estimated spending of $571,480,000 of the total projected budget of approximately $800 million for FY 2015-16, after eliminating certain excludable items such as bond proceeds, interest income and grants.

The difference between the FY 2015-16 State maximum spending limit ($467,355,700) and the projected spending ($571,480,000) is over $104 million representing the cost of programs, service levels and capital improvements expected by Chandler citizens that would not be available without approval of Home Rule.

In response to a question from the Mayor, City Clerk Paddock stated the Primary and General election was called for at the last meeting of the City Council.

COUNCILMEMBER HEUMANN noted the Council takes this charge with care and is one of the 30+ cities in the U.S. that have AAA bond ratings.

COUNCILMEMBER HARTKE asked if all other cities go through this process. Mr. Westrum said there are several cities that have a permanent base adjustment, but the majority have the home rule option.

There was no comment from the audience.

The MAYOR closed the public hearing at 7:17 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny announced the following events:

- Chandler Family Bike Ride – Saturday April 26th
- Roadrunner Park dedication ceremony begins at 10:30 a.m. at 3495 E Ryan Rd.
- Budget Briefing to be held on Friday May 2nd in Council Chambers starting at 8:30 a.m.
- Environmental Education Center Events: Veterans Oasis Park- Earth Day/Arbor Day event Friday, April 25th 4-7 p.m.

B. Councilmembers' Announcements

Vice Mayor Heumann announced the following:

- Original Chop Shop restaurant – visited the establishment and believes it to be a great addition to the Chandler downtown area
- Relay for Life on May 2nd at Basha High School
- He will be participating in Pat's Run Saturday, April 26th

Councilmember Hartke announced the following:

- May 1st is the next breakfast where business owners, non-profits and councilmembers discuss local issues
- May 3rd is the Cinco de Mayo Celebration and Chihuahua Races
- May 17th at Tumbleweed Park 5K Colordash race and expo

Councilmember Ellen announced the following:

- April 21st Chandler celebrated the 2nd Operation Welcome Home. It was a well-attended event and covered by Channel 10 and Channel 5. The next Operation Welcome Home is scheduled for November this year, she was seeking nominations.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:24 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: May 8, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 24th day of April 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 9 day of May, 2014.

_____
City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, April 24, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:25 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

MOVED BY VICE-MAYOR HEUMANN, SECONDED BY COUNCILMEMBER HARTKE, TO APPROVE THE CONSENT AGENDA.

MOTION CARRIED UNANIMOUSLY (7-0).

1. BALLOT MEASURE: Home Rule Res. #4752

ADOPTED Resolution No. 4752 recommending continuation of the Home Rule Local Alternative Expenditure Limitation and placing the issue on the August 26, 2014, Primary Election Ballot.

Almost four years have passed since the voters of the City of Chandler last adopted a Home Rule Local Alternative Expenditure Limitation in November of 2010. To continue with Home Rule, State law requires that the local alternative limitation must be presented to the voters every four years in conjunction with either the primary or general election. Such elections are only held in even-numbered years.

To place this item on the ballot in the fall of 2014, it is required that two public hearings be advertised and held by the City of Chandler. These public hearings were advertised as required. The first public hearing was conducted on April 10, 2014, and the second on April 24, 2014.

After the public hearing of April 24, 2014, the Council must convene a Special Meeting and by two-thirds affirmative vote, decide whether or not to place the proposition on the primary election ballot of August 26, 2014, for the Home Rule Local Alternative Expenditure Limitation to be submitted to the voters of the City of Chandler.

Adjournment: The meeting was adjourned at approximately 7:26 p.m.

ATTEST: _____ _____
City Clerk Mayor

Approved: May 8, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 24th day of April 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 9 day of May, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, May 8, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:04 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember*
	Jeff Weninger	Councilmember

*Councilmember Sellers participated telephonically

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Councilmember Hartke gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Ellen led the Pledge of Allegiance.

CONSENT:

Mayor Tibshraeny announced Council had received a revised memo on agenda item 8, additional information on agenda item 15, and a memo on item 2. Vice Mayor Heumann requested Kevin Mayo to provide an update on the changes made to agenda item 8. Discussion is noted under that item.

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COUNCILMEMBER HARTKE, to approve the Consent Agenda as presented. Mayor Tibshraeny announced he had received numerous speaker and cards in support of item number 5.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Study Session of April 21, 2014.
1b. Regular Meeting of April 24, 2014.
1c. Special Meeting of April 24, 2014.

2. CITY CODE AMENDMENT: Chapter 38 Ord. #4528

ADOPTED Ordinance No. 4528 amending sections 38-4, 38-11, 38-12 and Appendix A of Chapter 38 of the Chandler City Code modifying certain System Development Fees and amending certain aspects of the System Development Fee process

3. REZONING: Waters at Ocotillo and Siena at Ocotillo Ord.# 4534

ADOPTED Ordinance No. 4534, DVR13-0043 Siena at Ocotillo, rezoning from Planned Area Development (PAD) for commercial office/retail to PAD for attached single-family residential.

4. REZONING: McClintock & Chandler Luxury Apartments Ord. #4535

ADOPTED Ordinance No. 4535, DVR13-0047 McClintock & Chandler Luxury Apartments, rezoning from Planned Area Development (PAD) for commercial to PAD for multi-family residential.

5. REZONING/PRELIMINARY DEVELOPMENT PLAN: Arizona K-9 Center Ord. #4538

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4538, DVR13-0017, Arizona K-9 Center, rezoning from Planned Area Development (PAD) for machine shop, tool and die to PAD (dog daycare, boarding, grooming, training and related uses).
APPROVED Preliminary Development Plan (PDP) located on 6.5 acres at 1535 N. Dobson Road, east of Dobson Road and south of Warner Road. (Applicant: Aerik Braaten.)

BACKGROUND
The City of Chandler annexed the subject property in April 1978. The property was rezoned from Agricultural District (AG-1) to PAD zoning allowing a machine shop/tool and die and residence, which existed prior to the 1978 annexation. The residence was built in 1971 and the light industrial machine shop business began in 1974. The rezoning included conditions stating that the approved use may continue as the basic industrial operation that existed at the time of annexation provided that the impact on the surrounding area, which will be residential, will not be more severe than it is presently. The business was a machine shop, tool and die work for large scale parts and equipment such as aircraft parts. There were approximately 50 employees, outside storage of machinery and equipment, and a fleet of vehicles and trucks. Other zoning conditions included added perimeter walls and landscaping, and that any future expansion of additional operation visible from the exterior shall be subject to City Council approval. The machine shop business began prior to any surrounding single-family residential subdivisions and multi-family apartments developing which were platted in 1983 and 2000.

The property is bounded on the north by an SRP electrical substation, an apartment development, a 16-foot wide alley and single-family residential. To the east is a 16-foot wide alley and single-family residential. South of the property is a 16-foot wide alley and single-family residential. To the west is single-family residential.

The proposed rezoning request is for Arizona K-9 Center, a family-owned and operated business, to operate a dog facility focusing on training, daycare and boarding. The family will live in the existing single-family residence and utilize the existing warehouse/machine shop building and open space for the dog business. Arizona K-9 Center gives special attention to the Canine Assistance Program for People with Disabilities focusing on the Assistance Dog training program.

The program focuses on the care, training and well-being of canines to serve as assistance dogs for persons with disabilities.

The applicant's family has been operating a dog training, daycare and boarding business in Tempe at the northwest corner of Elliot Road and McClintock Drive in a commercial center. The family intends to purchase, reside and operate the business on the subject site. Arizona K-9 Center provides dog daycare and indoor overnight boarding. Dog grooming and retail space for pet-related items is also provided. The dog facility includes dog training and care with citizens and first responders as part of a Community Emergency Response Team. Arizona K-9 will provide rescue assistance and temporarily re-home displaced pets in emergency situations. K-9 law enforcement officers can train and workout canines within the property's open space area. In addition, a hydrotherapy system to aid in rehabilitation and provide non-impact exercise for canines will also be provided.

The facility operates six days a week, Monday through Saturday for boarding and training 6 a.m. to 7 p.m. There is no daycare on Saturday and Sunday. One-on-one dog training occurs on-site and is by appointment only weekdays 9 a.m. to 7 p.m. and Saturday 10 a.m. to 5 p.m. There is 24/7 on-site supervision and management as the owners and operators reside on the property. The typical drop-off and pick-up time for clients is between 7-9 a.m. and 4-6 p.m. There are Sunday drop-offs and pickups for boarding but no other services. The property's entrance gate will be closed from 8 p.m. to 6 a.m. daily. To accommodate the few early morning or evening drop-offs and pick-ups, the interior covered courtyard and adjoining indoor play area will be utilized 6-9 a.m. and 6-7 p.m.

The property is accessed off of Dobson Road by an existing entrance drive. The facility is a private business for trainers and clients only as well as a residence. The property is not open for general public use and there is no dog park.

The existing warehouse/machine shop building will be converted to house dogs day and night. No dogs will be housed outdoors and dogs are not permitted outside without trainer supervision. Indoor portions of the building are designated with separate cage-free daycare rooms catering to pet care and assistance dog training. Approximately 20 to 60 dogs per day would be cared for. The majority of Assistance Dog Training occurs indoors.

Adjacent to the building is an outdoor play area for use 9 a.m. to 6 p.m. This area is approximately 7,500 square feet and cordoned off by a 6-foot masonry block wall, trees and shrubs. This serves as a secondary barrier to the existing perimeter block wall that is greater than 6-feet high. Playtime for dogs in this outdoor play area is on a rotation system with a trainer accompanying dogs. If there are dogs with a tendency to bark, they will play indoors. The east and north portions of the large 3-acre open space is utilized for the play area and training. The south side of the property will not be accommodating dogs as it is an existing storage area. The storage area is used by the current property owner for business tools, machines and RV storage units.

Site improvements include two parking areas, interior access drives/fire lanes and secondary emergency access. A portion of fencing at the entrance gate will be removed to provide additional vehicular visibility and widen the drive aisle. There is existing covered parking adjacent to the residence being upgraded to accommodate an ADA parking space with additional parking spaces provided adjacent to the indoor facility's west and north sides. An area for future parking spaces is provided across from planned parking.

Landscaping, including trees and shrubs, will be provided in the open space area. Trees will be located behind existing two-story homes in the adjacent subdivision to mitigate concerns with site views. Excrement will be disposed in airtight containers throughout the day. Sealed trash containers will be emptied daily. Trash service will occur three days a week or more if needed. The business uses a commercial grade disinfectant and deodorizer inside and outside.

GENERAL PLAN CONFORMANCE

The General Plan designates this property as Residential allowing consideration for a range of dwelling unit densities, mixed-use developments, commercial use, public facilities, institutional uses, schools and places of worship. The request proposes to maintain the single-family residential use and replace the light industrial machine shop use with dog daycare, boarding, grooming, training and related uses.

The residential use is an appropriate use to maintain and the commercial use of a dog business is a compatible land use adjacent to an SRP substation, single-family residential, and multi-family residential. A light industrial machine shop business is not a compatible land use next to abutting residential.

DISCUSSION

Re-purposing the property with a dog facility use that is not expanding buildings and maintains the approximate three acres of open space is less intense than what has existing. The intensity of the proposed dog facility is less than other considerable land uses such as residential and commercial that would have buildings in proximity to existing residential property and generate more vehicle trips per day. The property's limited vehicular access, existing perimeter block walls screening the property from street view and adjacent one-story housing, and large amount of internal open space allows for a use that has minimal impact on the surrounding environment. Planning Staff is of the opinion the proposed dog daycare, boarding, grooming, training and related uses business to be compatible with existing land uses.

While zoning conditions include standard development code conditions, City Staff has determined that undergrounding utilities or off-site improvements are not necessary at this time. Right-of-way dedications are required to occur which will be processed separately.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 30, 2013. There were approximately 35 people in attendance. Concerns were raised about traffic, how the excrement and odors would be taken care of and noise from dogs barking. Some residents stated they were concerned about the use and not sure if they would support it, while others stated they would fight this coming into their neighborhood. The initial proposal included a park area for clients and customers that they could use day and evening. This was concerning for adjacent homeowners and is no longer proposed.

Planning Staff has received numerous phone calls and emails from residents in favor and opposed to this request. Those opposed have conveyed this use will devalue their homes; create constant noise from barking dogs that are outside and those indoors for overnight boarding and daycare; will cause more barking from homeowners' dogs; will have strong odors; will have dogs running all over the open space without anyone to stop them from barking; will hear aggressive dogs during K-9 training and will generate additional traffic to Dobson Road which they feel is already congested.

Following the neighborhood meeting, the applicant and his family met with Planning Staff and evaluated locations for business activities. The result was eliminating a park use, cordoning off a play area and designating locations for K-9 training and private training. The applicant and his family have gone door-to-door to many residences abutting the subject site. They further met area homeowners, answered questions about the dog business and learned who was in support, opposed, or no opinion on the proposed use. In a couple of instances, a homeowner who was opposed prior, has now conveyed support. Those in support completed a petition. There are homeowners within the 600-foot notification radius opposed to this use. At this time, Planning Staff is not aware of a legal protest.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 1 with Commissioner Ryan opposing.

The Commission conveyed the proposed use was a good re-use of the property and less intense than the industrial currently permitted. The Commissioner opposed felt the use was not a good fit within a residential neighborhood and in the future if a new business owner were to come in, it may not operate as well.

RECOMMENDATIONS
Rezoning
Upon finding consistency with the General Pan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development plan
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Narrative; Exhibit B, Site Plan; Exhibit C, Landscape Plan; Exhibit D, Floor Plan and Exhibit E Grading & Drainage Plan, kept on file in the City of Chandler Planning Division in File No. DVR13-0017 ARIZONA K-9 CENTER, except as modified by condition herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation and Development for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

6. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Pescara
Ord. #4539

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4539, DVR13-0051 Pescara, rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential development.
APPROVED a Preliminary Development Plan (PDP) for subdivision layout.
APPROVED Preliminary Plat (PPT) PPT13-0031 for 46 lots on 19 acres located east of the NEC of Gilbert and Riggs roads. (Applicant: Troy Peterson; Bowman Consulting.)

BACKGROUND
The subject site is located east of the northeast corner of Gilbert and Riggs roads. North of the site are homes within a County island; east is the recently approved and under construction

Jacaranda Place single-family residential subdivision; west is the custom Bela Flor single-family residential subdivision and south, across Riggs Road, is the Springfield Lakes master-planned community. The subject site recently went through the annexation and the City-initial zoning process.

The General Plan identifies the subject site as being located within the Southeast Chandler Area Plan (SECAP), and as such, is designated as supporting Rural/Agrarian Character allowing for residential development to occur up to 3.5 dwelling units per acre. With a minimum lot size of 10,400 square feet, an overall density of 2.5 units per acre is provided. Due to density being less than 2.5 dwelling units per acre, density incentives/amenities as outlined in the SECAP are not required. Additionally, since all lots are greater than 10,000 square feet, the Residential Development Standards (RDS) for subdivision diversity do not apply; however, elements are incorporated into the overall design of the subdivision that meets the intent of both the SECAP ad RDS.

SUBDIVISION LAYOUT

The request is for subdivision layout only. Housing product will be submitted at a later point in time and will require separate Preliminary Development Plan submittal and approval. The gated 46-lot single-family residential subdivision is accessed off of Riggs Road with a secondary emergency access point being provided through the subdivision to the east.

The entrance is flanked with large landscaped areas. The gated entrance and perimeter wall designs are uniquely designed and incorporate a contemporary design with rural theming. Predominant use of wire mesh elements along with steel framing and vertical square tubing will produce a rusted appearance, creating strong visual impact at the entrance of the subdivision. Additionally, the entrance and landscaping creates a landscape view corridor that extends to the north end of the subdivision. Within the view corridor are two community gathering spaces. Within the gathering spaces, a substantial amount of turf area is provided, with the southern amenity area also providing a tot lot and the northernmost area providing a basketball court.

All lots are designed in a north/south orientation. While housing product will require a separate review, building setbacks and lot coverage are established with this request. Setbacks are consistent with the surrounding area and provide a five-foot and ten-foot side setback, 15-feet for side-entry or livable and 20-feet for forward facing garages. Rear setbacks will be 20-feet for single-story homes and 30-feet for two-story homes. Lots that back-up to Riggs Road will have ten-foot side yards. Additionally, all corner lots will be restricted to single-story.

As noted, the emergency access drive is provided through the adjacent subdivision to the east. Based on the width of the subdivision (not being wide enough to properly accommodate two access points) and the access to the north of the subdivision (driving through County islands), the design team met with the developer to the east and an agreement was made to allow access through the adjacent subdivision. The emergency access will be gated.

The Planning Commission and Planning Staff support the request finding that the subdivision adds additional housing stock to the area and that the proposed lot size and layout is consistent with the surrounding area.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 27, 2014. There were six neighbors in

attendance with general questions, but expressed general support. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTIONS
Rezoning

Upon finding consistency with the General Plan and the SECAP, the Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan
Upon finding consistency with the General Plan and the SECAP, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "PESCARA", kept on file in the City of Chandler Planning Division, in File No. DVR13-0051, except as modified by condition herein.
2. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
3. All homes built on corner lots within the residential subdivision shall be single-story.

Preliminary Plat
The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

7. AGREEMENT: tw telecom of Arizona llc Ord. #4540

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4540 authorizing an agreement with tw telecom of Arizona llc for the Use of Facilities in the City's Rights-of-Way and Public Places to Establish a Class 4 and 5 Communication System.

BACKGROUND
On September 25, 2008, City Council authorized a five-year agreement with tw telecom of Arizona llc to install, operate and maintain a fiber communications system that provides both telecommunications and possibly non-telecommunications services. Ordinance No. 4540 renews that agreement by updating terms and fees for both service deliveries and sets provisions for automatic renewals for additional five-year terms upon mutual consent. The company holds similar agreements in other Valley cities to provide such services.

FINANCIAL IMPLICATIONS
The City has received a $3,000 application fee, which should cover the City's cost for the processing of this application, and 2.75% privilege tax will be paid on any non-interstate telecommunication services. As dictated by federal and state law, there will be no right-of-way use fee for the defined telecommunications portions of the system and its operation, but there is a fee structure established in the Agreement for any services that are not exempted by federal or state law. The company will also pay permit, inspection and pavement damage fees.

8. REZONING/PRELIMINARY DEVELOPMENT PLAN: Allred Park Place Ord. #4541

PLANNING MANAGER KEVIN MAYO indicated clarifications on various items that were requested on Monday have been included in the most recent Staff report. These clarifications include permitted uses in area 3 and staff added the definition of a conference center. Stipulation No. 1 relating to the conformance of the development with the Development Booklet entitled "ALLRED PARK PLACE" revised May 7, 2014; Stipulation No. 7 dealing with architectural features of the structure, and stipulation No. 8 dealing with the Conference Center Hotel which shall encompass approximately 300 rooms, and approximately 50,000 square feet of meeting space and associated components. If the conference center is not built or does not have 300 rooms, then any changes to that aspect of the development must come back to Council.

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4541, DVR13-0032 Allred Park Place, rezoning from Planned Area Development (PAD) for commercial, office and business park uses including a Mid-Rise Overlay for buildings up to 85-feet in height, to Planned Area Development (PAD) for business park, hotel, conference center and service retail uses, including a Mid-Rise Overlay for buildings up to 150-feet in height.
APPROVED a Preliminary Development Plan (PDP) for site design and building architecture on property totaling approximately 73 acres located at the NE and SW corners of Price and Willis roads. (Applicant: Michael Curley; Earl, Curley & Lagarde P.C.)

BACKGROUND
The subject site, comprised of three properties, totals approximately 73 acres and is located at the northeast and southwest corners of Price and Willis roads, south of the Santan Loop 202 and Price 101 freeways interchange. The first property, known as Area 1, is located east of Price Road between the Loop 202 Santan Freeway and Spectrum Boulevard. The second property, known as Area 2, is located east of Price Road between Spectrum Boulevard and Willis Road. The third property, known as Area 3, is located west of Price Road between Willis Road and Armstrong Place. Areas 1 and 2 received Planned Area Development (PAD) zoning in 1989 as part of the larger 156-acre Gateway Park master plan, previously known as Spectrum, now identified as Park Place. The PAD zoning, revised in 2001, extended in June of 2005, most recently revised in 2008, identifies the subject two properties for commercial land uses with purpose of providing a mix of office, employment, retail and service commercial uses to support the campus environment. Additionally, Area 1, and a portion of Area 2, includes a Mid-Rise Overlay for buildings up to 85-feet in height. Area 3 received PAD zoning in April 2013 for business park uses as identified within the South Price Road Employment Corridor (SPREC) accommodating a wide range of uses including corporate office headquarters, high-tech manufacturing and knowledge intensive employers.

The General Plan designates the subject site as Employment allowing major employers, knowledge-intensive employers, industrial/business parks and industrial support uses. Additionally, the General Plan identifies the subject site as falling within the SPREC. This corridor, recognized as the City of Chandler's premier employment corridor, generally encompasses the property located on the west and east sides of Price Road, starting at Willis Road at the north, ending at the Chandler Heights Road alignment just north of Sun Lakes. Visually, the corridor starts at the southern edge of the Loop 101/202 freeway interchange; however, historically, the City has recognized Willis Road as the northern border as the property located north of Willis Road received zoning approval prior to the General Plan's SPREC designation.

The request is to rezone the 3 properties bringing them under a single PAD district, effectively amending the zoning from PAD for commercial, office and business park uses including a Mid-Rise Overlay for buildings up to 85-feet in height, to PAD for business park, hotel, conference center and service retail uses, including a Mid-Rise Overlay for buildings up to 150-feet in height, with Preliminary Development Plan (PDP) approval for site design and building architecture. Although the single PAD zoning designation is sought, for purposes of land-use entitlement, the rezoning request maintains a delineation of Areas 1, 2 and 3 and the permitted uses within. The changes in land use entitlements are in fact minimal from what is currently permitted. Area 1 will include hotel uses in addition to currently entitled office, business park, employment, limited light industrial and service retail commercial uses. Area 2 remains virtually unchanged and includes office, business park and employment uses with limited light industrial and limited service retail commercial uses. Area 3 will now include a conference center hotel land use in addition to the business park uses as identified within the SPREC language accommodating a wide range of uses including corporate office headquarters, high-tech manufacturing, and knowledge intensive employers. The attached exhibits, although conceptual, depict a singular user campus for the subject 29-acre on Area 3. It should be noted that due to the conceptual nature of the request, and lack of specific end user at this time, the request seeks authority to permit up to two individual singular user buildings, one user per building. Finally, the request includes approval of a Mid-Rise Overlay for buildings up to 150-feet in height for all three properties. The rezoning request is consistent with the General Plan.

The request seeks to establish a cohesive business park high-quality campus atmosphere with a strong landscaping theme and high level of required architectural quality. The site provides multiple access points from Price Road and the three adjacent collector streets as well as strong boulevard entrances off Price Road. The landscape theme includes a 'radial' design at major intersection points that is carried through the campus with terraced landscaped treatments that include a layering effect of backdrop trees including Date Palms. Even the ultimate building design and parking layout will include a relationship to the radial theme at the boulevard entrances furthering the campus concept. The applicant continues to control the property adjacent to Price Road at the southeast corner of Price and Willis roads, as evidenced by the ghosted out plans contained within the booklet. It is anticipated that the highly articulated landscape theme proposed along Price Road will be implemented on the east side at the time a development proposal is brought forward.

The architectural exhibits, imagery and representations contained within the attached Development Booklet establish the 'bar' or level of quality expected for the future campus. While the final ultimate design and location of buildings may alter, the exhibits depict a close representation of how the campus will develop. Exhibits are provided for the proposed 8-story Drury Inn & Suites building located at the northern end of Area 1 and for the two 3-4 story office buildings and parking garage within Area 2. As well, exhibits are provided for the 8-story conference center and knowledge intensive employment buildings within Area 3. Additional exhibits provide more detailed architectural imagery that further defines the level of quality expected within the Allred Park Place campus.

The request includes a comprehensive sign package that includes building mounted signage, campus identification monumentation, and freestanding single-tenant and multi-tenant monument signage. Building mounted signage can include pan channel, reverse pan channel or flat cut out pin mounted lettering at the discretion of the end user. The campus identification monument signage design includes opposing triangular 20-foot tall elements clad in 18-inch travertine tiles providing 5 tenant panels per side. Lighting will include both halo and grown illumination. These

campus identification/multi-tenant monument signs are set at the intersection corners and main boulevard entrance points placed within a circular flower bed backed by the radial terraced landscaped features. The signage represents a very high level of quality that provides a strong statement for the Price Corridor as well as creates a unified image for the campus.

DESIGN REVIEW COMMITTEE UPDATE

The request was continued from the March 19, 2014, Planning Commission meeting to address several questions raised by nearby property owners regarding items such as traffic along Armstrong Place, represented building architecture, difference between a hotel and a conference center and Planning Staff's administrative leeway in terms of the represented buildings.

To address the traffic question, the applicant revisited the traffic study, which ultimately concluded the signal on Armstrong Place to be warranted with the proposed uses and square-footage within Area 3. This resulted in the addition of Condition 6 of the PDP requiring the traffic signal to be installed prior to or commencing with the start of construction within Area 3. To clarify the difference between a hotel and the proposed conference center in Area 3, the applicant has represented the conference center to encompass approximately 300 rooms and 50,000 square feet of meeting space.

Following the March 19th continuance, the applicant began meeting with a nearby business owner to review the proposed building architecture and architectural imagery. It became apparent that the discussions and architectural evolution could influence the larger Price Road Corridor especially in light of the fact that this request is the first to come forward following the completion of the South Price Road Employment Corridor Study. Ultimately, Planning Staff recommended the request be forwarded to the Design Review Committee for an additional level of consideration.

The applicant presented the revised building elevations for Area 2 and Area 3 (Imagery i7 and i8 in the Development Booklet) and overall campus plan to the Design Review Committee on April 8, 2014. The buildings now include a significantly greater use of glass on the Area 2 office concepts, as well as additional glass, façade scoring, and metal banding accent materials on the flex office/industrial buildings for Area 3. Discussion occurred regarding the designs presented. One Committee member indicated a desire for slightly more façade plane variation on the Area 2 office buildings which resulted in a group discussion of architectural 'ginger breading' vs. simplicity of building form. The meeting concluded with a statement going forward that the request taken in totality, represented a superb campus plan in terms of site design, landscape design and building architecture that will provide a strong 'front door' for the Price Road Corridor.

The final question regarding Planning Staff's administrative discretion can be answered as this. The Development Booklet including the building elevations, architectural imagery and narrative, as well as this memo, establish the intent for the Allred Park Place campus plan, effectively setting the 'bar' in terms of quality and design. The renewed focus on the SPREC through the Corridor Study, this rezoning request, the Design Review Committee hearing, additional PDP conditions and public hearing going forward have served to more clearly define Planning Staff's administrative authority while narrowing the degree of final development plan malleability.

Planning Staff supports the request. Price Road has been the subject of much recent discussion most recently culminating in the presentation of the South Price Road Employment Corridor Study provided by the Maguire Company to City Council in November of 2013. This request represents the first development proposal to come forward following the study. While the majority of the property included with this request does not fall within the area generally accepted as the

start of the corridor, it does represent a strong example of the implementation of the first recommendation within the study which states, 'the campus-like environment of the Corridor should be preserved and actively enhanced'. The exhibits establish a campus environment with exceptional quality that continues throughout the site design, landscaped theming, and ultimately to the comprehensive sign package.

The proposal is consistent with the General Plan in terms of the proposed land uses and Mid-Rise Overlay for buildings up to 150-feet in height, as well as the single-employment nature of future buildings within the campus for Area 3 south of Willis Road. The addition of the Conference Center within Area 3 will provide a much needed amenity to serve the SPREC as well as the balance of Chandler. The proposal will provide a strong statement for the visual beginning of the Price Corridor that will serve as an example for future development proposals within the corridor.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with neighborhood meetings being held on December 2 & 5, 2013. There were five neighboring property owners in attendance at the first meeting and three at the second. Many questions were asked about specific development details with the subject site as well as questions involving the adjacent Gila River Indian Community land. No one offered formal opposition at either neighborhood meeting.

Following the neighborhood meeting, Planning Staff has received a series of phone calls from nearby residential property owners located south and east of the subject site. Concerns included the proposed building height and long term traffic impacts along Price and Willis roads. Planning Staff conveyed that the maximum 150-foot building height was to be located more than ¼ mile west of the nearby subdivision boundaries. As well, the ultimate design for Price Road (currently constructed) and Willis Road (future construction) is consistent with the adopted Transportation Master Plan and designed to accommodate the anticipated traffic demands for the subject site as well as the balance of the Price Road Corridor. Finally, the residents requested attention be paid to ensure sufficient pedestrian amenities be provided on-site for employees to minimize the amount of employee pedestrian activity within their neighborhoods.

Planning Staff has received no correspondence in opposition.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan and South Price Road Employment Corridor, the Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the attached Development Booklet entitled "ALLRED PARK PLACE", revised as of May 7, 2014, kept on file in the City of Chandler Planning Services Division in File No. DVR13-0032, except as modified by condition herein. The Development Booklet provides that building layout, architecture and design of future development of individual parcels, and related onsite site layout

related to such future development of individual parcels which are consist with the Development Booklet, will be reviewed and approved administratively.

2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. All buildings shall be designed to be consistent with the level of quality, detail, building material, paint colors, architectural articulation and the like as established in the attached Development Booklet.
4. Administrative changes to the approved building elevations shall ensure that the building elevations and massing (i) carry an architectural level of quality and detail that is as good or better than what is contained in the Development Book and (ii) are horizontally and vertically broken up through the use of color, material, texture and varied treatment of segments of the buildings.
5. Building architecture shall promote consistent architectural character and detail on all sides of the structure.
6. The traffic signal to be located at the intersection of Price Road and Armstrong Road shall be installed before or simultaneously with the construction commencing on Area 3.
7. The applicant shall work with Planning Staff to provide additional architectural detailing such as additional use of glass and/or façade elements upon the proposed Area 2 hotel building's upper portion.
8. As represented by the applicant's representative, the Conference Center Hotel identified on the Park Place Master Plan (Page 11 of the Development Booklet) shall encompass approximately 300 rooms, and approximately 50,000 square feet of meeting space and associated components.

9. ANNUAL ACTION PLAN: CDBG Res. #4742

ADOPTED Resolution No. 4742 authorizing the City Manager or his designee to execute and submit the Community Development Block Grant (CDBG) Fiscal Year 2014-2015 Annual Action Plan to the United States Department of Housing and Urban Development (HUD) and execute all subrecipient contracts.

BACKGROUND

HUD requires that all local governments receiving CDBG funding submit an Annual Action Plan that will guide HUD-funded housing, homeless and community development activities for the period beginning July 1, 2014, through June 30, 2015. To comply with the City of Chandler's Public Participation Plan, the City held a public comment period that began March 26, 2014, and ended on April 25, 2014. In addition, a Public Hearing on the Annual Plan was held March 26, 2014, at the Housing and Human Service Commission (HHSC) meeting and at the April 10, 2014, City Council meeting to ensure opportunities for input from the community.

DISCUSSION

The City's Fiscal Year 2014-2015 Annual Action Plan serves as the formal application for the use of entitlement funds that are received by the City of Chandler. The Action Plan defines the one-year activities in relationship to the five-year goals and objectives of the Consolidated Plan covering Fiscal Years 2010-2014. It provides a description of the programs and projects of the City of Chandler in Fiscal Year 2014-2015, as well as funding decisions for the City's CDBG program.

In November of 2013, thirteen non-profit organizations applied for Fiscal Year 2014-2015 CDBG funding requesting a total of $1,423,409. The HHSC reviewed and evaluated the applications and made CDBG funding recommendations to the City Council for approval. Council reviewed

the recommendations on April 10, 2014. The recommendations are summarized on page 26 of the Plan.

FINANCIAL IMPLICATIONS
The City's total funding available to the CDBG Program for Fiscal Year 2014-2015 is $1,308,949. This includes an entitlement from HUD of $1,191,063 and carry forward and program income of $117,886. This funding is provided by HUD and does not require repayment.

10. 2014-2015 HOME FUNDS APPLICATION Res. #4743

ADOPTED Resolution No. 4743 authorizing the City Manager to execute and submit all related documents for an application for and use of Fiscal Year 2014-2015 HOME Program funds from the Cranston-Gonzalez National Affordable Housing Act in the amount of $293,292.00 through the Maricopa County Consortium; authorizing the receipt and allocation of additional Fiscal Year 2013-2014 HOME Program funds for tenant based rental assistance in the amount of $184,251.00; and authorizing the allocation to the HOME program of trustee's sale proceeds in the amount of $167,897.00; and authorizing the City Manager to sign all related documents.

BACKGROUND
The City of Chandler receives federal HOME Investment Partnership funds annually through the Maricopa HOME consortium. A total of $645,440.00 is available for allocation for Fiscal Year 2014-2015. This is comprised of $293,292.00 in 2014-2015 funding from the Consortium, $184,251.00 in reallocated Fiscal Year 2013-2014 funds from consortium and $167,897.00 in one-time proceeds earned through the Deed of Trustee Sale of properties formerly owned by Community Services of Arizona (CSA). Eligible activities utilizing HOME funds include: homeowner rehabilitation, homebuyer activities, rental housing and tenant-based rental assistance.

Of the funding received by the City of Chandler for program operation in the upcoming fiscal year, $27,544.00 will be available to the City for administration of the HOME Program.

Staff announced the availability of HOME funding to area housing nonprofit organizations and Request for Proposals were issued seeking applications for HOME eligible activities. Three applications for HOME funding were received.

FINANCIAL IMPLICATIONS
Funding for the HOME program is provided from HUD through the Maricopa County Consortium and does not require repayment.

11. WATER AND SEWER REVENUE BONDS Res. #4765

ADOPTED Resolution No. 4765 amending Resolution No. 1917 pertaining to the issuance of Water and Sewer Revenue Bonds, changing the requirements for and the administration of the reserve fund created to serve the City's water and sewer revenue bonds and water and sewer revenue refunding bonds.

BACKGROUND
The City's Master Resolution No. 1917 currently requires the City to cash fund a debt service reserve or purchase an insurance policy to guarantee the bonds. The City's Financial Advisor Bill Davis of Piper Jaffray worked with National Public Finance Guaranty (NPFG) to revise the reserve requirements to a springing reserve. Mainly due to the City's strong credit, the insurance

company has approved the use of a springing debt service reserve. This type of reserve requires the City maintain net Water & Wastewater revenues at a minimum of one hundred seventy-five percent (175%) of the principal and interest requirements on all outstanding bonds for the respective corresponding bond years. The City will only be required to purchase an insurance policy if the reserve falls below the minimum. Not only is this reserve structure less costly, but it is also more efficient.

12. ISSUANCE AND SALE OF WATER AND SEWER REVENUE REFUNDING BONDS
Res #4750

ADOPTED Resolution No. 4750 authorizing the issuance and sale of not to exceed $20,000,000.00 aggregate principal amount of City of Chandler, Arizona, Water and Sewer Revenue Refunding Bonds, Series 2014, and authorizing the Management Services Director to determine whether it is in the City's best interest to sell the Series 2014 Bonds in a competitive bid or through a negotiated sale.

BACKGROUND
The Water and Sewer Revenue Refunding Bonds, Series 2014, are subject to the provisions of the City's Master Resolution No. 1917 and amendments included in Resolution No. 4765 pertaining to the requirements for and the administration of reserve funds. These Refunding Bonds are secured by the net revenues of the Water and Wastewater Operating Funds.

Current interest rates offer an opportunity to refinance a portion of the City's debt by refunding bonds previously issued and outstanding; specifically, Water and Sewer Revenue Bonds, Series 2001, 2003 and 2005, allowing the City to realize debt service savings. This will reduce the amount of debt service expenses paid from the Water and Wastewater Operating Funds, thereby providing savings to the City ratepayers.

The final interest rates will affect the principal amount needed to refund the prior bonds, thus the resolution authorizes the maximum principal amount that may be sold. The final principal amount will be determined when the actual interest rate is established.

FINANCIAL IMPLICATIONS
The resolution authorizes the refunding of the City's outstanding Water and Sewer Revenue Bonds if the savings are at least 3% of the principal amount of the bonds being refunded. Depending upon the final issue size, this refunding is expected to generate net debt service savings to the City of approximately $1,400,000.00 in present value dollars. The savings are net of all costs of issuance.

13. INTERGOVERNMENTAL AGREEMENT: HOME Consortium Res. #4758

ADOPTED Resolution No. 4758 authorizing an Intergovernmental Agreement (IGA) for the Maricopa County HOME Consortium for the reallocation of $184,251.00 in Fiscal Year 2013 HOME Investment Partnership funds from the Town of Gilbert to the City of Chandler and authorizing the City Manager to sign the IGA.

BACKGROUND
The City of Chandler receives federal HOME Investment Partnership Program (HOME) funds through the Maricopa County Consortium which is comprised of the cities/town of Avondale, Chandler, Gilbert, Glendale, Peoria, Scottsdale, Surprise and Tempe. On March 20, 2014, the Consortium voted to reallocate $184,251.00 of HOME Program funds from the town of Gilbert to

the City of Chandler, specifically for the funding of Tenant Based Rental Assistance (TBRA) activities. This funding was originally allocated to the Town of Gilbert which was unable to expend the funds for the program initially intended. In order to facilitate the transfer of these funds, Chandler and Gilbert must enter into an Intergovernmental Agreement.

FINANCIAL IMPLICATIONS
The City will receive an additional $184,251.00 in HOME program funding to finance TBRA activities. One hundred percent of the funding is subsidized through HUD and does not require repayment.

14. TEMPORARY DRAINAGE EASEMENT EXTINGUISHMENT: McQueen / Brooks Farm
Res. #4759

ADOPTED Resolution No. 4759 authorizing the extinguishment of a temporary drainage easement at the SWC of McQueen and Brooks Farm roads.

BACKGROUND/DISCUSSION
As part of Phase II of the McQueen Road Improvement Project from Ocotillo Road to Chandler Heights Road (ST-0810), the City acquired a Temporary Drainage Easement (TDE) on a parcel of land located at the southwest corner of McQueen and Brooks Farm roads. City Council approved a final plat for Ocotillo Landing to be developed on said parcel at its February 27, 2014 meeting. The developer has completed grading for the required retention on their property. As a result, the TDE acquired by the City is no longer required and can be extinguished. Staff recommends extinguishment of the City's TDE on this property. This extinguishment of the easement will remove it from property as requested by the developer.

15. DEVELOPMENT AGREEMENT: SunCap Phoenix, LLC, and Rock-Queen Creek, LLC
Res. #4766

ADOPTED Resolution No. 4766 authorizing the execution of a Development Agreement with SunCap Phoenix, LLC, and Rock-Queen Creek, LLC, authorizing Arterial Street Impact Fee Credits for Queen Creek Road be applied to Chandler Crossroads Phase I System Impact Fees of the building permits prior to the completion of Queen Creek Road.

BACKGROUND/DISCUSSION
Rockefeller Development Corporation, dba Rock-Queen Creek, LLC, acquired the land site known as Chandler Crossroads at the NWC of Queen Creek and Gilbert roads in 2008 and subsequently zoned it for a business park. As part of their development requirements, as defined in the Planned Area Development (PAD) and Preliminary Development Plan (PDP), Rockefeller is required to improve Queen Creek Road to City Transportation Plan standards and install the extension of Emmett Road for the frontage of their property. Rockefeller will be starting construction on these improvements in the next few weeks with a planned completion in late 2014.

City Code requires the developer to submit a performance bond in the amount of the work, and instead, Rockefeller has requested to deposit cash to the City in the amount of the work to be completed in the public right-of-way.

Also, in accordance with the City Code and as applied to all development projects within the Arterial Street Impact Fee area, a credit is applied against the Arterial Street fee portion of the current System Development Fees for any work completed on an Arterial Street within the Arterial

Street Impact Fee Area. As a stipulation, this credit cannot exceed the maximum amount of the Arterial Street Fee for the project. Typically, a developer installs the Arterial Street and then applies the credits against the property, which the City maintains in perpetuity against future Arterial Street Impact Fees. When a future development obtains their building permits, the credit is already applied against the Arterial Street Impact Fee charged so that money does not change hands with the City.

Rockefeller has sold an estimated 48 acres of the western section of Chandler Crossroads to SunCap Phoenix, LLC. SunCap plans to construct an industrial development in accordance with the existing zoning. As part of our System Impact Fees, SunCap is required to pay the Arterial Street Impact Fee in accordance with the City Code when they are issued their building permit. Since Queen Creek Road will be under construction in conjunction with the industrial development, SunCap ordinarily would pay the fee and then receive the refund back to them as soon as Rockefeller completes Queen Creek Road as the credit remains with the land and not the developer of the Arterial Street.

Since Rockefeller will be depositing cash with the City to secure their work in the public right-of-way, Staff recommends that the credits be applied to SunCap's building permit in advance of the work being completed. SunCap would then be required to pay any additional amount of the Arterial Street Impact Fee that is not covered by the credits available for the construction of Queen Creek Road adjacent to their parcel. Further, all other Plan Review, Building Permit and Systems Impact Fees would be paid upon issuance of the building permits to SunCap.

FINANCIAL IMPLICATIONS
A cash deposit will be made to the City of Chandler for the amount of the public improvements which would allow the City to complete the public improvements should the developer default.

16. CONTINUED ZONING/PRELIMINARY DEVELOPMENT PLAN: Ray Road Apartment Homes

CONTINUED TO JUNE 12, 2014, Zoning DVR13-0050 Ray Road Apartment Homes, rezoning from Planned Industrial District with a Planned Area Development (PAD) overlay to PAD for multi-family residential as requested by the applicant due to their scheduling conflicts.
CONTINUED TO JUNE 12, 2014, Preliminary Development Plan (PDP) for a 192-unit multi-family residential development on approximately 7 acres located east of the NEC of Arizona Avenue and Ray Road as requested by the applicant due to their scheduling conflicts.

17. PRELIMINARY DEVELOPMENT PLAN: Cleanfreak Carwash

APPROVED Preliminary Development Plan PDP14-0002 Cleanfreak Carwash, for the site layout and building architecture for a new carwash on approximately 1.15 acres located south of the SWC of Gilbert and Queen Creek roads within the Carmel Village shopping center. (Applicant: Cory S. Wiebers; CW Architecture, Inc.)

BACKGROUND
The approximately 1.15-acre site lies within the 20-acre Carmel Village commercial development located at the southwest corner of Gilbert and Queen Creek roads. The Carmel Village development received zoning approval in April 2006, including approximately 12.48 acres for retail uses and 7.03 acres for medical/general office uses. The subject site was the Vacant Pad Parcel 1 within the retail portion as shown in the original Development Booklet.

The subject site is surrounded to the west by the residential subdivision Abralee Meadow and to the north by Queen Creek Road. Vacant land zoned PAD, planned for light industrial, office and retail uses under the Airpark Area Plan, is located north of Queen Creek Road. Gilbert Road is located on the site's east side. East of Gilbert Road is the future Layton Lakes development and Athlos Charter School. South of the subject site is the balance of the Carmel Village commercial development.

The request includes an approximately 3,773 square-foot carwash building/tunnel, as well as a 1,134 square-foot freestanding entrance/pay canopy. Central within the site, are the vacuum facilities, screened from street view by the carwash building. The carwash building is located parallel with Gilbert Road within a landscaped setting. The majority of existing landscaping along Gilbert Road will remain and be further enhanced with additional plantings. The landscaping chosen matches the palette previously established in the Carmel Village Plaza. Vehicular access to the site is provided by the two adjacent entry drives into the Carmel Village center.

The subject site has remained vacant since the center's construction in 2007. The center's success, including the Fitness Works facility and childcare/learning center, has resulted in the subject site being utilized for overflow parking. Various attempts have occurred over the years to site a future user on the subject site; however, parking continued to remain the issue at hand. The proposed carwash presents a compatible solution as the onsite parking demand is far less than other traditional users. In fact, the proposal extends existing parking aisles adding 9 spaces to the center's common parking field in addition to providing sufficient on-site dedicated parking spaces for carwash patrons, all while straightening out a circuitous circulation path. The additional parking spaces are accommodated by moving the carwash building parallel to Gilbert Road to an approximate 30-foot building setback versus the typical 50-foot setback along an arterial road.

The building architecture continues the modern rural theme established by the Carmel Village Plaza. Architectural features include elements such as exposed wood beams and tiled sloped-roof elements, exposed structural steel, clerestory windows, scored stucco, brick and stone accent materials. Building massing has been broken up by the use of vertical and horizontal plane changes, as well as a combination of flat-roof and sloped-roof elements. Effectively, the building resembles a multi-tenant retail building versus a motor vehicle carwash. Even the Cleanfreak Carwash rolled aluminum circular tunnel entrance is pulled within the building behind exterior building elements appearing as if the vehicles drive into a retail building. Building mounted signage will include individual mounted illuminated lettering consistent with the balance of the Carmel Village development.

Planning Staff supports the request finding it to represent a quality compatible completion to the Carmel Village Plaza, which also addresses a periodic parking issue created by the center's success. The applicant should be commended for the level of architectural quality and integration utilized on the carwash building. Finally, Planning Staff supports the setback deviation finding the building's orientation and high degree of architectural detailing meritorious. Additional exhibits and development details can be found in the Development Booklets.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on March 18, 2014. There were no neighbors in attendance. Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 3788 in case DVR05-0052 CARMEL VILLAGE PLAZA, except as modified by condition herein.
2. Development shall be in substantial conformance with the attached Development Booklet entitled "CLEANFREAK CARWASH", kept on file in the City of Chandler Planning Services Division in File No. DVR14-0002, except as modified by condition herein.
3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
4. Approval by the Planning Administrator and Director of Transportation and Development for landscaping (open spaces and rights-of-way), perimeter walls and arterial street median landscaping is required.
5. Sign packages, including freestanding signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
7. The applicant shall work with Staff to add two additional trees at the north and south corners of the carwash building.

18. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Workers Compensation and Employer Liability Trust Board
Bil Bruno (Reappointment)
Dee Ann Ferguson (Reappointment)

19. OFFSITE LUMP SUM AGREEMENT: Alma School Apartments, LLC

APPROVED Offsite Lump Sum Agreement No. OA13-003 with Alma School Apartments, LLC, deferring a variable speed booster pumping system in conformance with the City of Chandler Standards as a condition of their development and accepting a lump sum payment of $48,873.00.

BACKGROUND/DISCUSSION
As a condition of development in 2012, Parcland Crossing Apartments, located at the east/northeast corner of Alma School and Willis roads, through an agreement with the City, deferred a variable speed booster pumping system for reclaimed water to their property. The variable speed booster pumping system was deferred in lieu of a lump sum payment of $48,873.00 made to the City.

The developer recently informed Staff that they planned to sell the property and requested an Offsite Lump Sum Agreement replace the existing Offsite Improvement Deferral Agreement. This agreement is intended to cover the cost for the work. The lump sum agreement will secure their

financial obligation to the City for the deferred work as well as release the developer from any future obligations for the improvements.

FINANCIAL IMPLICATIONS
Funds, in the amount of $48,873.00 have been received from the developer and are being held in an interest bearing account to use for the future construction of Alma School Road.

20. AGREEMENT AMENDMENT: Madara Engineering, Inc. & Willdan Engineering

APPROVED Agreement No. TD2-925-3046, Amendment No. 2, with Madara Engineering, Inc., and Willdan Engineering for building plan review services in a combined amount not to exceed $131,000.00 for a total contract amount not to exceed $160,000.00 for a two-year period.

The Building Plan Review Group, within the Transportation & Development Department, is responsible for reviewing all architectural and structural calculations and drawings for private development projects and design plans for City funded capital projects.

Building Plan Review Services fees for both Madara Engineering and Willdan Engineering are based on a percentage of the building plan review recovery fees the City collects from applicants.

Increased public construction activity and a recent extended medical leave created a workload issue within the group. Senate Bill 1598, passed by the State Legislature, mandates that permit reviews be completed within a fixed period of time or the City shall refund fees for reviews that exceed published deadlines. In addition, the City strives to maintain a high level of customer service where private development projects with tight deadlines are reviewed in half the normal time frame.

The contract was initially executed in the amount of $29,000.00 to ensure that current service levels could be maintained.

21. AGREEMENT: SDB, Inc.

APPROVED Agreement No. MU4-745-3363 for right-of-way repairs to SDB, Inc., in an amount not to exceed $120,000.00 per year for two years with the option to renew for up to three additional one-year periods.

22. PROJECT AGREEMENT: Dibble Engineering, Inc.

APPROVED Project Agreement No. WA1307-452 with Dibble Engineering, Inc., pursuant to Annual Contract No. EN1307-101, for Water Main Tie-Over and Extension Construction Management (CM) Services, in an amount not to exceed $105,500.00.

23. PROJECT AGREEMENT: Dibble Engineering, Inc.

APPROVED Project Agreement No. WA1410-101 with Dibble Engineering, Inc., pursuant to Annual Contract No. EN1307-101, for Large Water Valve Assessment Services in an amount not to exceed $197,100.00.

24. PROJECT AGREEMENT: Aztec Engineering Group, Inc.

APPROVED Project Agreement No. WW1414-201 with Aztec Engineering Group, Inc., pursuant to Annual Contract No. EN1312-101, for Chandler Reclaimed Water Infill Design Services in an amount not to exceed $172,999.00.

25. PROJECT AGREEMENT: Southwest Ground-water Consultants

APPROVED Project Agreement No. WW1416-101 with Southwest Ground-water Consultants, pursuant to Annual Contract No. EN1203-101, for Chandler Water Reclamation Campus (CRWC) Recharge Permit Modifications in an amount not to exceed $136,160.00.

26. AGREEMENT AMENDMENT: Heinfeld, Meech & Co., P.C.

APPROVED Agreement No. AC3-946-3212, Amendment No. 1, with Heinfeld, Meech & Co., P.C. for audit services in an amount not to exceed $100,287.00.

The City is required by City Charter and State Statute to issue an annual audited financial report. In addition, federal law requires the City undergo an annual single audit of federal financial assistance. The scope of services includes audit work for the City, the Chandler Health Care Benefit Trust, the Chandler Worker's Compensation and Employer Liability Trust, the Chandler Cultural Foundation, the Volunteer Fireman's Pension and Relief Trust Fund Report, the Local Transportation Assistance Fund Report (LTAF), the annual Expenditure Limitation Report, the ADEQ Landfill Assurance Report and the Highway User Revenue Fund (HURF) Report.

27. ANNUAL CONTRACT AMENDMENT: Dibble Engineering, Inc.

APPROVED Annual contract No. EN1307-101, Amendment No. 1, with Dibble Engineering, Inc., increasing the annual limit for Water and Wastewater Facilities Permitting, Studies, Design, and Post-Design Services Contract by $250,000.00 for a revised annual limit not to exceed $500,000.00.

28. ENGINEERING SERVICES CONTRACT: Wilson Engineers, LLC

APPROVED Engineering Services Contract No. WW1413-201 with Wilson Engineers, LLC, for Ocotillo Water Reclamation Facility (OWRF) Process Improvements in an amount not to exceed $1,572,480.00.

29. CONSTRUCTION CONTRACT: Citywide Contracting, LLC

APPROVED Construction Contract No. WA1307-402 to Citywide Contracting, LLC for Water Main Tie-Over and Extension in an amount not to exceed $915,481.00.

30. CONSTRUCTION CONTRACT: DNG Construction LLC

APPROVED Construction Contract with DNG Construction LLC for Tumbleweed Tennis Courts Replacement, Project No. PR1404-401, in an amount not to exceed $983,791.15.

The Chandler Tennis Center is a 15-court tennis complex located within Tumbleweed Park. The existing tennis courts are asphalt courts that were built in 1996. The average lifespan of asphalt tennis courts is 10-15 years. Over the last five years, continuous crack repairs have had to be made to keep the courts playable. In spite of the repairs that have been made, the cracks continually reappear as the courts have outlasted their expected lifespan. This contract includes

removing and replacing the existing 15 asphalt courts with 15-post tension concrete courts, adding a hitting wall for practice and updating the facility's landscaping. Most municipal Valley tennis centers have gone to the post-tensioned concrete as a way to reduce surface cracking, saving over $150,000.00 in court repairs over a 20-year period.

31. PURCHASE: Mythics

APPROVED the purchase of an Oracle software training development tool with support and maintenance from Mythics, utilizing GSA Contract #GS-25F-0153M, in an amount not to exceed $81,012.00.

The City of Chandler originally purchased a training development tool to create and deliver online training to educate City employees during the implementation of Oracle R12. Since the initial rollout, the City has been able to expand the use of this tool to develop training tutorials for other Citywide applications such as MyTimeKeeper, CIS Infinity, Activenet, EDMS and IBM Notes. The tool allows Staff to utilize electronic learning with various methods to view, practice and actually do the tasks in an assisted manner. This expanded use of the tool for other applications requires that the City increase the licensing to cover additional users.

32. PURCHASE: World Wide Technology, Inc.

APPROVED the purchase of network equipment from World Wide Technology, Inc., (WWT), utilizing State of Arizona Contract #ADSPO12-024658, in an amount not to exceed $231,874.00.

The City utilizes BIGIP network devices to manage network traffic both internally to the City's network as well as externally for Internet-based City services and communications. These devices are used to balance network traffic across the City's servers to ensure service availability, improve speed and help maintain connectivity and services in case of an outage. The current devises are at end of useful life and are based on older technology that cannot keep pace with the City's current network demands. The replacement devices have greater capacity and more modern features that will help keep City systems online and functional as demands increase. The increased functionality of the new devices will allow the City to consolidate down from the current 4 devices to 2 devices. The vendor is providing a trade in value of $4,000.00 for the 4 devices being replaced.

33. USE PERMIT: Pizza on 87

APPROVED Use Permit LUP14-0005 Pizza on 87, Series 12 Restaurant License, to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption in a new restaurant with a new outdoor patio located at 1368 N. Arizona Avenue, Suite 101, south of the SWC of Knox Road and Arizona Avenue. (Applicant: Heath Kolpin.)

BACKGROUND

The subject site is located at 1368 N. Arizona Avenue, Suite 101, south of the southwest corner of Knox Road and Arizona Avenue in the North Chandler Mall. Boost Mobile, Long Wong's restaurant, a barber shop and other retail businesses are located in the shopping center. Legacy Funeral Home is north and the developments surrounding the center contain commercial and industrial related uses. The San Mateo Estates single-family subdivision is west of the center.

Pizza on 87 is located in an end suite with the patio facing Arizona Avenue. The tenant space and outdoor patio are undergoing renovation. The suite floor area is approximately 1,264 square

feet and accommodates 48 customer seats in the dining area and patio. The business anticipates hiring six to ten employees, full and part-time, including delivery drivers. Hours of operation are proposed from 10 a.m. until 10 p.m., Sunday through Thursday, and from 10 a.m. until 2 a.m. on Friday and Saturday. Background music is provided through house speakers. Two televisions are in the dining area and two on the patio. Although no live entertainment is proposed, the applicant has offered to provide a liaison name and contact information for concerned property owners to address any business operational concerns, including noise and music.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on April 2, 2014. There were 3 neighbors in attendance. Concerns expressed included the noise level from the outdoor patio, late night alcohol consumption leading to loitering in the neighborhood and television sports broadcasts which may create noisy crowds. The applicant addressed each concern. Several of the solutions include: offering a liaison contact number and name to address noise issues prior to contacting the Police; late night hours are for delivery and the restaurant would close by 10 p.m. on weekdays and midnight on weekends; and the one-year time limit placed on the use permit allows evaluation of the business operation.

The Police Department has been informed of the application and responded with no concerns.

Planning Staff received one phone call from a residential property owner who stated their concerns about noise at late hours and indicated they would call Police if awakened by noise. A letter of opposition was also received.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit granted is for a Series 12 license only and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
3. The Use Permit is non-transferable to any other location.
4. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require a new Liquor Use Permit application and approval.
5. The site and patio shall be maintained in a clean and orderly manner.
6. No noise shall be emitted from the televisions and speakers located outdoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
7. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.

34. SPECIAL EVENT LIQUOR LICENSE: Won Last Chance, Inc.

APPROVED a Special Event Liquor License for Won Last Chance, Inc., for the West USA Realty Revelation New Home Event, May 22, 2014, at Fazio's Catering and Event Center, 700 W. Warner Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

35. LIQUOR LICENSE: Phoenix Palace

APPROVED a Series 12 Restaurant Liquor License (Chandler #150566 L12) for Jeannie Yuenling Ho, Agent, R&P Enterprises LC, dba Phoenix Palace, 2075 N. Dobson Road. A recommendation for approval of State Liquor License #12079836 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. Al licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Phoenix Palace Buffet.

36. CONTINUED LIQUOR LICENSE: Ranchero Mexican Grill 2

CONTINUED TO JUNE 12, 2014, a Series 12 Restaurant Liquor License for Elizabeth Albuja, Agent, Byliel, Inc., dba Ranchero Mexican Grill 2, 757 E. Chandler Boulevard, to allow the applicant time to complete the requirements for a Chandler City License.

37. CLASS B BINGO GAME LICENSE: Chandler Elks Lodge #2429

APPROVED a recommendation for the State's issuance of a Class B Bingo License for the Chandler Elks Lodge #2429, 1775 W. Chandler Boulevard, with Steven K. Like as Manager.

BACKGROUND
The Chandler Elks Lodge #2429 has requested the City's approval of their Class B Bingo License at 1775 W. Chandler Boulevard. Bingo game sessions will be conducted weekly, on Thursdays, from 5:00 p.m. until 9:00 p.m.

Class B Bingo Game Licenses are issued by the State and are designed for people who are dedicated to raising funds for their sponsoring charitable organizations. Any person or group may apply for a Class B License, but the licensee is restricted to gross receipts not to exceed $300,000.00 per year. The City does not issue the license; however, State Code requires that the applicant receive city approval as part of the licensing process.

The Police Department, Transportation and Development and the Fire Department reviewed the application and indicated no objections.

38. On Action

39. FILING OF CROSS-APPEAL – Justus etal v. City of Chandler

APPROVED the filing of a cross-appeal on the issue of the trial court's decision to not award the full amount of attorney fees requested by the City.

ACTION

38. AIRPARK AREA PLAN AMENDMENT/REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT Res. #4761 & Ord. #4536

RESOLUTION NO. 4761, APL 14-0002 Airpark Area Plan Amendment/DVR13-0042/PPT13-0026 Arizona Avenue & Queen Creek Road, an Area Plan amendment to the Airpark Area Plan from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential. (Applicant: Andrew Gasparro, KB Homes.)
ORDINANCE NO. 4536 DVR12-0042 Arizona Avenue & Queen Creek Road, rezoning from conceptual Planned Area Development (PAD) for Commercial/Office/Business Park to PAD (Low-Medium Density Residential).
PRELIMINARY DEVELOPMENT PLAN (PDP) for subdivision layout and housing products.
PRELIMINARY PLAT (PPT), PPT13-0026 Arizona Avenue & Queen Creek Road, on approximately 14 acres with 90 single-family residential units located at the NEC of Arizona Avenue and Queen Creek Road.

BACKGROUND

The approximately 13.83-acre site is located at the northeast corner of Arizona Avenue and Queen Creek Road. The subject site was annexed in 2008 and zoned Agricultural District (AG-1) and Regional Commercial District (C-3) zoning. In April 2012, the property was rezoned from AG-1 and C-3 to Conceptual Planned Area Development (PAD) zoning for commercial/office/business park. The Conceptual PAD allowed commercial uses permitted in the C-2 (Community Commercial) zoning district, office uses including general and medical/dental, and business park uses permitted in the I-1 (Planned Industrial) zoning district.

Arizona Avenue abuts the site's west side with the Carino Villas commercial parcel, yet to develop, the Carino Villas Condominiums multi-family project, and the Carino Estates single-family subdivision. South, across Queen Creek Road, is undeveloped land in the County planned for neighborhood commercial and commercial/office/business park with light rail corridor overlay. The southwest corner of the intersection is Chandler Center at Dobson Crossing, a mix of single-family residential, a newly built multi-family apartment development and a future commercial corner. To the north and east is a high density urban residential apartment development, Archstone Village Crossing at Chandler. Further east is the Union Pacific Railroad tracks, undeveloped land zoned PAD for an industrial park and a church on a County island.

GENERAL PLAN CONFORMANCE/AREA PLAN BACKGROUND

The General Plan designates this property as Employment and a Commercial Node, as within the Airpark Area Plan, and as a Large Tract Growth Area. The General Plan's Employment designation includes light industrial parks, corporate offices, manufacturing, knowledge-intensive employers and a compatible mix of industrial support uses and residential densities as an integral component of a planned mixed-use development. The Commercial Nodes category denotes intersections appropriate for neighborhood or community commercial retail, office, commercial services and institutional uses, as well as residential or employment where appropriate when allowed by the underlying land use designation, in this case Employment.

The Airpark Area Plan denotes the parcel as Commercial/Office/Business Park for major, campus-like employment centers including retail services, research and development or office/showroom development type uses. The Airpark Area Plan also identifies Neighborhood Commercial at the intersection corner for neighborhood-based commercial uses such as retail, personal services, restaurants, and the like. In addition, the entire parcel is within the Light Rail

Corridor Overlay allowing the development of residential densities of 12.1 to 18.0 dwelling units per acre.

This subject property is at an arterial street intersection and is intended to develop with other than single-family residential use. The property is not part of a larger single-family residential neighborhood. Under the guidelines of the General Plan and Airpark Area Plan, single-family residential is not a considerable land use in the Employment, Neighborhood Commercial or Commercial/Office/Business Park categories.

AREA PLAN AMENDMENT
The request amends the Airpark Area Plan from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential. The single-family residential use is not part of the current land use categories and is incompatible with adjacent high density multi-family residential, planned commercial at the arterial street intersection and future industrial and light industrial development to the east.

REZONING
The request is to Rezone approximately 13.83 acres from Conceptual Planned Area Development (PAD) for Commercial/Office/Business Park to PAD (Low-Medium Density Residential). The Arizona Avenue and Queen Creek Road zoning case is the first development request for this site. The property has been farmed for many years. KB Home proposes to develop a single-family residential community that includes 90 single-family residential units at approximately 6.51 du/ac. The lots are designed in a cluster configuration with use and benefit easements for individual detached homes. Lot sizes are a minimum 2,442 sq. ft. (44'x55.5') up to 3,723 sq. ft. (69.2'x53.8'); however, the Development Booklet requests to reduce the minimum lot area to 2,220 sq. ft. as needed.

The subdivision is an intimately designed single-family residential project. Building layout, open space and pedestrian pathways create an inviting living environment by clustering homes. The subdivision is unique by way of details that form an unconventional layout alleviating a geometric design. Special attention is applied to walls along street frontages and home locations internally. Externally, walls are staggered and angled to accommodate more open space. Internally, homes are sited to provide a varied street scene. Pedestrian access gates, grass front yards and private open spaces are elements that offer diversity in this cluster form of residential. Lots along the greenbelt open space have pedestrian gates to access the open space.

SUBDIVISION DIVERSITY
The Rezoning request includes PDP approval for a single-family subdivision layout and two-story housing products. The development is not gated and includes public streets. The subdivision abuts a developing 21-acre, 380-unit gated multi-family residential apartment project at 17.5 dwelling units per acre.

There is a full-movement entry/exit off of both arterial streets. The Arizona Avenue entry is designed with a landscaped median leading to the community's loop road. This entry/exit is shared with the multi-family development to the north for full movement access. The landscape median being installed by the apartment development includes Date Palm trees and shrubs. The Queen Creek Road entry/exit leads to the subdivisions community pool and amenity area.

The previously approved Archstone development, including the apartments and this future commercial/office/business park component, intended to have an overall theme between the two components. A similar theme is created between the proposed development and apartments by

the use of Olive and Oak tree lined street frontages and perimeter walls designed with slant tile and metal screen elements, which complement the multi-family's urban design.

The subdivision design includes a sense of arrival into the neighborhood with open spaces and landscaping at both entries and a distinctive streetscape theme along Arizona Avenue and Queen Creek Road. The streetscape open space along Arizona Avenue is over 60-feet deep with a large green open space/useable retention basin at the arterial intersection corner. Another green useable retention basin is off of Queen Creek Road.

The subdivision lot layout has square and rectangular shaped lots that include irregular side yard property lines. Use and benefit easements allow for varied side yard widths depending upon the home's footprint and the specific lot design. The homes and privacy walls will be situated on lots to create functional side yards that are 5-feet in width. Adjacent side yards create 10 feet and greater building separations. Front yard building setbacks are a minimum of 10 feet for lots adjacent to the street right-of-way (corner lots) with 8 feet to front entries/porch. Within the motor court, front yard setbacks are 3.5 feet from the easement. Rear yard setbacks are a minimum of 5 feet. Patio covers are 0 feet when adjacent to a use and benefit easement. The maximum lot coverage is the proposed building envelope for each lot. The lots are not large enough to accommodate building additions or detached buildings or structures.

Since all of the lots are less than 7,000 sq. ft., all of the Residential Development Standards (RDS) for subdivision diversity would be required. However, it is realized that this type of subdivision cannot meet all of the subdivision diversity standards. The subdivision design provides diversity in the essence of the RDS. The unconventional layout with pedestrian features grass yards, and open spaces along with varied lot depths along arterial street frontages, create an inviting community. The subdivision design meets the intent of the RDS subdivision diversity elements as outlined in the Development Booklet.

A parking study layout was prepared to assure adequate guest parking spaces are distributed appropriately throughout the development.

Signage for the community name is applied on perimeter walls at the two entrances. The sign wall includes a powder coated bronze color sign panel with individual reverse pan channel aluminum letters with halo illumination.

HOUSING PRODUCT

The housing plans are called 'court product' given the homes' courtyard setting. There are four two-story housing plans ranging in size from approximately 1,966 to 2,845 livable square feet and designed with several architectural styles. Each housing plan includes three elevation styles providing a total of 12 housing plan options.

The housing plans are designed specifically for the cluster subdivision layout. A common motor court serves the vehicular access to garages. The homes surround the motor court thus creating a cluster layout resulting in no garage doors along the main loop street. Standard features include rear yard covered patios, covered front entries, stone veneer on at least one elevation, window muntins, window shutters and awnings, decorative window surrounds, wrought-iron accents and corbels.

Each housing plan is designed in association with one another for placement on the six lots within each cluster. For example, Plan 2270 will locate on the two lots abutting the loop public street.

Front doors and green space are oriented toward the street enhancing streetscapes. Enhanced rear elevations are provided for homes adjacent to arterial streets and open spaces.

As well, since all of the lots are less than 7,000 sq. ft., all of the RDS for architectural diversity would be required. However, it is realized that a subdivision of this type cannot meet all of the diversity standards as outlined in the RDS. The grouping of housing plans in a cluster layout, the architectural elements, and footprint of the homes provide diversity within the subdivision.

The architectural diversity elements include four-sided architecture de-emphasized garage fronts by locating them within the motor court area, varied rooflines prohibiting same elevation on adjacent homes or across the street, and trash bins within garage or behind a wall. The housing product design meets the intent of the RDS architectural diversity elements as outlined in the Development Booklet.

AIRPORT RECOMMENDATION

The Airport Commission reviewed the Area Plan amendment and Rezoning request in accordance with the Airport Conflicts Evaluation Process. A conflicts evaluation report was issued indicating that the Airport Commission determined the proposed development does constitute a conflict with existing or planned airport uses. Conflicts cited include that the change in land use to single-family residential is incompatible with the City's guiding documents that are designed to preserve the long-term viability of the airport and surrounding area. Additionally, there is great likelihood that residents will be negatively impacted by noise created by over flight of traffic pattern aircraft.

The Planning Commission and Planning Staff are of the opinion the proposed development is not in conformance with the General Plan and Airpark Area Plan. The single-family residential use is incompatible with adjacent high density multi-family residential, planned commercial at the arterial street intersection and future industrial and light industrial development to the east as a part of the Airpark Area Plan.

Single-family residential is the least desirable land use for this parcel. Other land uses are more appropriate including commercial retail, office, flex industrial, warehouse, business park and like uses. These uses are compatible and provide a transition into commercial/office/business park and light industrial uses planned for the area. The airport area has limited property designated for single-family low density or low-medium density residential. There is a need for higher density multi-family residential to support the Airpark Area Plan in addition to commercial, office and business park type uses.

Additionally, the intersection is a designated Commercial Node and currently the northwest and southwest corners are zoned PAD for commercial use, and the southeast corner is in the County zoned C-3 General Commercial. An evaluation of this intersection from a land use and economic development standpoint, considered the potential growth at this intersection and what is sustainable for the future. The Planning Commission and Planning Staff concluded that the subject site would be best developed for commercial/office/business park and/or neighborhood commercial uses.

While the Planning Commission and Planning Staff does not support the requested Area Plan amendment and Rezoning, the PDP for subdivision layout and housing products offer an attractive development. The cluster, motor court layout creates an intimate environment amongst 90 homes. The subdivision is unique and incorporates an open space corridor, open spaces along arterial streets, varied lot depths and perimeter wall locations and pedestrian access ways.

The development is a modern version of a cluster lot layout that has been successful throughout Chandler.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. The applicant mailed notices for a meeting in November 2013; no residents attended. This meeting did not meet City requirements for an expanded notification area related to Area Plan amendments, thus the City required a new neighborhood meeting which was held on March 10, 2014. There were four residents in attendance. There were questions regarding price ranges, if on-street parking was allowed, what is the land plan for the Airpark Area, and if the homes were being developed anywhere else. The development team responded that pricing is not yet determined, on-street parking is allowed along the loop street which is designed as a public street, addressed the land plan for the area and conveyed the housing product is under construction at a Phoenix development.

Planning Staff and the applicant received an email from an area homeowner who supports the development. Planning Staff received a voice message in opposition. The caller conveyed he does not want this project approved. He stated he has already seen how residential in the area has hurt the expansion of the airport area. Planning Staff is not aware of any other opposition or concerns.

PLANNING COMMISSION VOTE REPORT

Motion to deny:
In favor: 5 Opposed: 1 (Ryan) Abstain: 1 (Baron)

The Planning Commission conveyed there was intent in the initial Archstone Village Crossing at Chandler development plan to have high density, multi-family residential with a future commercial/office/business park corner to support the airport's growth and development including adjacent industrial and commercial/office/business park property to the east along Queen Creek Road extending to Gilbert Road. The Commission wants to maintain the vision of the Airpark Area Plan. Additional comments included the proposed low-medium density residential is not compatible next to the high-density residential behind and next to it. The land has future viability for office and business park development. There is a need for developments accommodating smaller users and offices not just larger master planned office parks. While office and business park uses may take some time to develop in the area, it eventually can develop similar to the business park north of Stellar Airpark.

DISCUSSION:

SENIOR PLANNER JODIE NOVAK stated there was several development requests affiliated with this item. The first request is an Area Plan Amendment. The request is to change the land use from neighborhood commercial and commercial office Business Park with a light rail corridor overlay to a low to medium density residential land use. A rezoning request from a conceptual planned area development district to allow a commercial office business park, and a rezoning to low-to-medium residential, for subdivision layout and housing products. The project is approximately 13.83 acres with 90 single family lots proposed, with all homes being two stories. She stated the Staff report is very detailed so she would keep her report brief. The Planning Commission and Planning Staff recommended denial as the Area Plan amendment is inconsistent with the City's General Plan and denial of the rezoning request as it too is inconsistent with the General Plan and Airpark Area Plan.

COUNCILMEMBER WENINGER inquired about the other developments in the immediate area and Ms. Novak stated each project was reviewed on a case by case basis.

VICE MAYOR HEUMANN inquired about the commercial and retail development in the area and if those type of uses are sustainable in the area. He also inquired how this development compared to the developers other project located at Tatum and Greenway.

MIKE CURLEY, applicant for the development, stated they spent approximately 1 ½ years with Chandler's planning staff working to make the project the best possible development at that location. During this time the City Council directed staff to develop better standards for clustered development. During that time the application was put on hold so that it might be modified to comply with any new standards that might be implemented. He appreciated the time and effort Chandler staff dedicated to assist with the proposed development. The proposed development has significant open space and significantly more architectural features based on the new stipulations for "cluster" products.

COUNCILMEMBER SELLERS expressed concern about the protection, safety, and viability of the airport and what the noise contour would be for the proposed development based on its proximity to the airport.

Mr. Curly stated the proposed development is approximately ½ mile away from the 55 dbl contour line which has traditionally been the determining factor for residential development. He provided a few examples of developments near the airport and their distance from the airport. Mr. Curly stated their belief is the development would not negatively impact the airport because its proposed site is ½ mile away from the 55 dbl contour line.

VICE MAYOR HEUMANN inquired whether the aerial easement would be listed in the deed restrictions. Ms. Novak stated these conditions have to be part of the deed restrictions and part of the title report.

COUNCILMEMBER WENINGER MADE A MOTION TO ADOPT RESOLUTION 4761 APPROVING THE AIRPARK AREA PLAN AMENDMENT FROM NEIGHBORHOOD COMMERCIAL AND COMMERCIAL/OFFICE/BUSINESS PARK WITH A LIGHT RAIL CORRIDOR OVERLAY TO LOW-MEDIUM DENSITY RESIDENTIAL;

INTRODUCE AND TENTATIVELY ADOPT ORDINANCE NO. 4536 APPROVING THE REZONING REQUEST DVR13-0042 ARIZONA AVENUE & QUEEN CREEK ROAD, REZONING FROM CONCEPTUAL PLANNED AREA DEVELOPMENT (PAD) FOR COMMERCIAL/OFFICE/BUSINESS PARK TO PAD LOW-MEDIUM DENSITY RESIDENTIAL SUBJECT TO ALL THE CONDITIONS LISTED;

APPROVE THE PRELIMINARY DEVELOPMENT PLAN DVR 13-0042 ARIZONA AVENUE & QUEEN CREEK ROAD FOR THE SINGLE FAMILY RESIDENTIAL DEVELOPMENT SUBJECT TO THE FOLLOWING CONDITIONS LISTED;

APPROVE PRELIMINARY PLAT REQUEST PPT13-0026 ARIZONA AVENUE & QUEEN CREEK ROAD, ON APPROXIMATELY 14 ACRES WITH 90 SINGLE-FAMILY RESIDENTIAL UNITS LOCATED AT THE NEC OF ARIZONA AVENUE AND QUEEN CREEK ROAD, SUBJECT TO THE FOLLOWING CONDITION OF APPROVAL BY THE CITY ENGINEER AND

PLANNING ADMINISTRATOR WITH REGARD TO THE DETAILS OF ALL SUBMITTALS REQUIRED BY CODE OR CONDITION AS WELL AS THE ATTACHMENTS LISTED.

THE MOTION WAS SECONDED BY VICE MAYOR HEUMANN.

COUNCILMEMBER ELLEN stated she believed the development was too close to the airport and buyers often will sign disclosures but until they actually deal with the issue of what was disclosed, they don't know the impact that issue will have on them. She felt this was not the time to vote on this development and stated she was not in favor of the motion.

COUNCILMEMBER HARTKE stated he often votes no on housing projects around the airport. He has taken the time to sit out in this proposed site to get a better understanding of the proximity to the airport and the noise the site may endure. While he is in favor of the project, he is not in favor of the location and therefor will be opposed to the single housing element within an airport zone.

COUNCILMEMBER DONOVAN agreed it was a good product; however the housing aspect is not a viable option for the airport area.

MOTION CARRIED BY MAJORITY (4-3) WITH COUNCILMEMBER DONOVAN, HARTKE AND ELLEN VOTING NAY.

UNSCHEDULED PUBLIC APPEARANCES:

Mr. DAVE SCHLAUE, 2194 E. Firestone Dr., Chandler, submitted a handout to the Council. Mr. Schlaue stated he has been a volunteer with the Police Department since 2003 said he was getting mixed messages from the Chandler Police command staff since his resignation in November 2013. He asked Council for their assistance.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor announced the ground breaking of the FedEx facility on May 7th. This facility, once completed, will bring approximately 200 jobs to the market and airpark area and diversity to the job base.

There will be a small business workshop on May 15th held at the Council Chambers.

He visited with Maynard White, who celebrated his 107th birthday on May 8th.

He wished his mother and Mom's a Happy Mother's Day, this coming Sunday.

B. Councilmembers' Announcements

Council wished everyone a Happy Mother's Day.

Councilmember Weninger wished his wife a Happy 15th Wedding Anniversary.

Vice Mayor Heumann announced it was National Drinking Water week.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:00 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: May 22, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 8th day of May 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27 day of May, 2014.

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City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Friday, May 2, 2014 in the Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 8:30 a.m.

The following members were present:

Jay Tibshraeny	Mayor
Rick Heumann	Vice Mayor
Jeff Weninger	Councilmember
Trinity Donovan	Councilmember
Nora Ellen	Councilmember
Jack Sellers	Councilmember
Kevin Hartke	Councilmember

Opening Remarks – Mayor Jay Tibshraeny

Mayor Tibshraeny thanked Budget staff, Directors, the City Manager and his office for continuing to identify cost savings and other efficiencies.

The Mayor noted that Chandler continues to be in a good position today because of years of good budgeting and sound fiscal policies and decisions. Slow growth is better than no growth. This process continues to be very transparent with the Budget Survey, Budget Connect, two Budget Workshops, and public meetings like this.

Introduction – City Manager Rich Dlugas

Mr. Dlugas welcomed everyone to the presentation of the Proposed 2014-15 Budget and 2015-2024 Capital Improvement Program. He stated the budget reflects Chandler's continued commitment to provide high quality services to the community in the most cost effective manner while maintaining the City's long term financial viability. The Budget Executive Summary book provided with the proposed budget includes his full budget message for the 2014-15 Budget. Mr. Dlugas highlighted the budget theme, "Fiscally Strong & On The Move".

Overview of Budget – Dawn Lang & Greg Westrum

Management Services Director Dawn Lang and Budget Manager Greg Westrum provided an overview of the budget including revenue, capital costs, and General Fund balance.

Vice Mayor Heumann asked if people will be paying less property tax with the new valuations and 9 cent reduction than they were paying 5-6 years ago. Ms. Lang stated that is correct.

Transportation and Development – RJ Zeder

Transportation and Development Director RJ Zeder presented the budget for the Transportation and Development Department.

Mayor Tibshraeny asked how the planning can be set in place so that future Councils and future staffs have the ability to have Light Rail in Chandler, hopefully down Arizona Avenue. The Mayor stated he would be more than glad to go meet with Councilmember Cavanaugh at Mesa and share the cost of the study as that will need to be in place before you can get in line for any kind of funding. Completing this with or without Mesa would be the most urgent item, and what we would do beyond that in terms of increasing our transit services in the City.

The Mayor commented that needs to be done so that we are in line for whenever they do the next vote on expanding transit. He suggested Council and staff discussions about a 3-5 year plan working within our current means for increasing our commitment to fund transit. Additionally, looking within our means to bring more bus service or rapid transit service to Chandler, but also to set the stage for the future for Light Rail to come into Chandler. Mr. Zeder responded staff would be pleased to work on a short and long term plan with the goal specifically to bring the Light Rail down Arizona Avenue and more broadly transit service in general. He added staff had been working very hard on the planning side with Valley Metro and neighboring cities and is interested in proceeding with that planning. Alternative analysis is really the next step for the goal in bring Light Rail down Arizona Avenue.

Vice Mayor Heumann added that while light rail is very important, we need to make sure that the density is there for promoting high density residential, high density employment along that corridor to make sure that Light Rail is successful. We need to take a look overall at our overall transit services.

Vice Mayor Heumann asked if the HURF number that is in the budget based on what we were getting or is the number based on the new budget that was approved by legislature. Mr. Zeder replied it is a projection that Ms. Lang and the Budget Staff put together. Ms. Lang added the HURF budget is about $13 million. This is just the portion that is dedicated to the operations side. We also have some going to debt service as well as capital.

Councilmember Ellen said she thought it would be good to do a study on Light Rail ourselves and not wait for Mesa as she did not want to be dependent on another city.

Mayor Tibshraeny asked if funding for part of that study was already in last year's budget. Mr. Zeder replied that is correct.

Mayor Tibshraeny asked the status of the acceleration of lanes on Santan, the HOV lanes, or general purpose lanes. Mr. Dan Cook stated regarding HOV lanes, all HOV lanes in Chandler are done. The next phase would move into Gilbert and Mesa. The general purpose lanes on the Price Freeway are in an early design phase with ADOT, with a construction date of 2019-2020. He noted he was working with Patrice Krause to get the construction advanced.

Mayor Tibshraeny asked if that was a lane each direction. Mr. Cook stated on Price Rd. they would be building the additional lines on the outside. There is room under the bridges, so there would have to be some embankment changes. On the Santan it would be on the outside as well.

In response to Vice Mayor Heumann, Mr. Cook stated there is still Prop 400 money.

Planning – Jeff Kurtz

Planning Administrator Jeff Kurtz presented the budget for the Planning Division.

Councilmember Sellers said he would suggest another major accomplishment for the Planning Division is their role in helping to complete the Price Road corridor study.

Vice Mayor Heumann asked the status on electronic plan review in trying to expedite and how we can streamline the process. Mr. Kurtz said that is really a cross between the IT and the rest of the Transportation and Development department. There is an ongoing program. Information and Technology Director Steve Philbrick stated the project is currently in the design phase, doing business analysis with Planning to figure out how we are going to put it together. There needs to

be an upgrade to Accela, the system used for permitting and inspections. That will be done this summer with a plan to move forward late this year or early next year with the electronic document management and electronic document review.

Municipal Utilities Department – Dave Siegel
Municipal Utilities Director Dave Siegel presented the budget for the Municipal Utilities Department which includes Water, Wastewater, Solid Waste, and Reverse Osmosis.

Ms. Lang commented when it comes to the Wastewater Fund, we are planning rate increases every other year in our financial projections and that is mainly due to the fact that there are some enormous projects in the future that we have to gradually bring that rate up, otherwise we would have a very large increase that would be difficult for citizens to absorb all at once.

Vice Mayor Heumann commented that the water rates are going to go up, even if we did nothing all. We are improving our infrastructure which is so important because water is our life blood. He said citizens need to be made aware that water is a precious commodity and because of things like the Navajo Generating Station (NGS) and Central Arizona Project (CAP) water those are costs that are going to go up automatically.

Councilmember Weninger said he is a supporter of green waste programs.

Vice Mayor Heumann asked that the aesthetics of the new treatment plant on Queen Creek and Price be well done. Mr. Siegel said he and Assistant City Manager, Marsha Reed, attended an HOA board meeting and gave them a commitment that the aesthetics will look good.

Councilmember Sellers added that as you do those expansions and upgrades, you are also affecting very significant efficiency improvements

Fire – Assistant Fire Chief Tom Carlson
Assistant Chief Tom Carlson presented the budget for the Fire Department.

Mayor Tibshraeny asked the estimated completion of the fire station. Assistant Chief Carlson said the preconference was held. The bid should come to Council hopefully in June. After that we are looking at 240 days to completion - February or March 2015.

Vice Mayor Heumann asked about the reduction in hours for firefighter training from 80 hours last year down to 46 hours to reflect the required training from national standards. Assistant Chief Carlson said as part of the medical health task force, we are limited to so many hours during the day and can only take so many units out of service. We looked at expanding roles that are going forward in the future and what can we do in a 24 hour day to make that available. We look at our training, ISO rating and our accreditation and determined a lot of this can be done more in station through videos and our goal for our training division is to send out more stuff to do in station. Overall the training will not be changing.

Vice Mayor Heumann asked about the contingencies number of $1.2 million. Assistant Chief Carlson replied it is mainly grant contingencies. When we apply for them and they don't get funded in the same fiscal year.

Police – Chief Sean Duggan
Chief Sean Duggan presented the budget for the Police Department.

Mayor Tibshraeny asked the location of the canine facility. Chief Duggan said it is at the south substation. It is a 300 square foot housing facility, so when the officers are not available they can leave their dogs there in a climate controlled facility.

Mayor Tibshraeny asked if the offset for the School Resource Officers (SRO) is 50% of $347,573. Chief Duggan replied yes.

Mayor Tibshraeny asked if we pay Gilbert or provide staffing that is scheduled at the Gilbert/Chandler Holding Facility. Chief Duggan said payment will not be made to Gilbert. We are partners in the fees. We will pay our shares of the cost fee to operate the facility. We will be able to use that facility 24/7 and it is a shared cost initiative between Chandler and Gilbert.

Mayor Tibshraeny asked if there will physically be a Chandler Officer there or will there be a generic officer that we are all contributing to. Chief Duggan said there will be employees from both cities. Chandler uniforms working alongside Gilbert uniforms.

Vice Mayor Heumann asked what is the $251,162 O&M offset. Chief Duggan said that is the amount of money we anticipate saving by not having to book at the $287 an hour booking rate at the county jail. We book about 1,800 people a year and a great deal of those are booked at the county jail. By not having to book at the county jail we are saving $287 every time we take someone to the Gilbert/Chandler Facility.

Vice Mayor Heumann asked if the savings is the $251,162 which is that $287 plus another $135,000. Chief Duggan replied no because it is subtracting our fees and its subtracting the full-time employee that we are asking for. Ms. Lang clarified that is just the O&M offset in the initial year, but ongoing they are going to have $135,000 a year.

Councilmember Donovan clarified that $251,162 is just the cost that we pay to Maricopa County; it is not incorporating the other savings that you mentioned of the time that it takes of the officers to not be here as they are driving someone. Chief Duggan replied it includes savings on booking costs and fuel savings, but it does not take into account every time you channel officers out of their area of responsibility. So it is an incredible efficiency savings and an enhancement, because the officers can conceivable leave the prisoner at the Gilbert/Chandler Facility and respond to their area within 5 minutes to most parts of the city, rather than hours if having to book at the 4th Ave jail.

Councilmember Weninger asked if all people would go here or is it dependent on the crime. Chief Duggan explained it's a temporary holding facility, so no longer than 24 hours. Based on the severity of the crime, we will transport them to the county jail as they currently do using detention officers and wagon transports, not individual officers.

Mayor Tibshraeny asked if the legislature eliminated DROP a few years ago or is there still eligibility to get into drop. Chief Duggan said DROP no longer exists for new employees. If you have less than 20 years, there were some restrictions. People with 20 years and above were grandfathered in. This happened about 2 years ago.

Councilmember Donovan said page 11 of the booklet shows a decrease in controlled substances analysis case turnaround due to low staffing. This year we were able to get someone who had that expertise and the right staff and we were able to increase our numbers quite considerably. She asked if this position (Forensic Service Section Criminalist) will help with some of this too. Chief Duggan said that is the desire.

Mayor Tibshraeny asked what the Latent Print and Latent Print contract services were. Chief Duggan explained when officers and detectives take fingerprints at a crime scene they are processed at a laboratory. They are identified and then certified by another latent print analyst. Those prints are then entered into Automatic Fingerprint Identification System (AFIS). That is where we find prints anywhere nationally based on the FBI search system. Every time a prisoner is booked the prints are compared to the AFIS database.

Vice Mayor Heumann asked if there is a 2 year backlog and will this clear it up. Chief Duggan said the plan is to clear this up or at the least have a significant impact on the backlog.

Vice Mayor Heumann asked what are some of the public safety outreach programs that money can be used for from weapons proceeds. Chief Duggan listed Victim Services Outreach, Easy Child ID program, Youth Academy (held 3 times year), Wilderness Academy, and a variety of forensic science initiatives and also some fire programs.

City Magistrate – Michael Traynor

Presiding City Magistrate Michael Traynor presented the budget for the City Magistrate Department. There were no questions.

Community Services – Mark Eynatten

Community Services Director Mark Eynatten presented the budget for the Community Services Department.

Councilmember Donovan asked if the educators know the museum school trunk education fee is being proposed. Mr. Eynatten replied they were actually involved in the development of it and in also recognizing there was a fee attached to it. Mr. Eynatten said it is a whole new program.

In response to questions from Vice Mayor Heumann, Sandy Munoz-Weingarten explained the tours conducted at the Environmental Education Center, which we charge for, are for any kind of groups in which we introduce them to the Environmental Education Center, the programs and services that we offer in general, orientation, and we provide specialized training for in-depth environmental education. Ms. Munoz-Weingarten said it does take staff time to prepare.

Councilmember Sellers asked for clarification between individual and group personal training. It sounds like we are charging less for group training than individual. Mr. Eynatten said that is fairly standard. If you are getting one-on-one personal training service, in the market you will pay more than if there are 2, 3, or 4 people in the group because you are not getting same amount of attention as an individual. The group fee is per person.

Vice Mayor Heumann asked if the turf grass is working and is it going to be expanded to more parks. Mr. Eynatten said ideally we could spend 5 times that amount of money, but this gives us a good leg up on increasing our level of maintenance and change in our maintenance practices. We will end up with a strong strand of grass that will help us deal with the wear issues that we have.

Councilmember Hartke asked if this proposed number will give us better aesthetics and improve durability. Mr. Eynatten said there would be better aesthetics. As far as getting more use out of the fields, there would need to be more control over the amount of use because our athletic fields run 12 months of the year. What this will do is allow us to be able to better withstand that amount of use.

Councilmember Hartke asked if modifying the season on some of the groups work well from your perspective with the existing program. Mr. Eynatten replied it has made a big difference.

Mayor Tibshraeny asked if all of the plants under warranty at Roadrunner Park. Mr. Mickey Ohland replied yes.

Vice Mayor Heumann inquired if the additional swim lessons funding for is for beginning lessons. He felt beginning lessons should be as cost neutral or zero. Ms. Sheri Passey said that is for all levels in addition to adding lessons at Nozomi Aquatic Center in the spring and fall. It's adding additional classes at the Hamilton Aquatic Center at night, as well as additional classes at the Mesquite Groves Aquatic Center.

Vice Mayor Heumann commented it is very important that beginning classes are offered at little or no cost, because it could save a life.

Councilmember Donovan asked about the scholarship program for swim classes. Ms. Passey responded there is the Goodwill scholarship based on who is financially eligible to receive. We have partnered with SRP and receive a grant to provide 2 free swim sessions, one in January/February at the Hamilton Aquatic Center, and 1 in March at Arrowhead pool. We are seeking other opportunities as well to provide additional lessons.

Councilmember Donovan asked if the free classes offered between January and March, are limited and fill up quickly. Ms. Passey said they are very popular and they fill up. They are advertised through Breaktime Magazine, through social media, aquatic newsletter, and webpage.

Vice Mayor Heumann asked why the number has dropped for library revenues. Ms. Brenda Brown said the County did away with the library reciprocal payment and put all the money into the library assistance program.

Vice Mayor Heumann asked if the new Polaris system is a one-time purchase or would that be our cost if we paid for it every year. Ms. Brown said there is a migration fee when you first implement them and is the $285,000 that you heard, the ongoing value that we will be receiving and that the county will be paying the maintenance fee of $80,000. Of the $600,000 number, that includes the $285,000.

Vice Mayor Heumann asked if the $285,000 is for this past year or for 2014-15. Ms. Brown said it is a one time we are actually implementing it in July.

Vice Mayor Heumann asked how much is sent to the county in terms of dollars out of the funds that go to the county. Ms. Brown said about $1.1 million.

Vice Mayor Heumann commented that even with all the in-kinds and the best scenario, we are still a donor city and in a good year we are getting back about 60 cents on the dollar. Ms. Brown stated that is for 14-15, typically it is more like 40% or less than 40%. But we have definitely increased our percentage over the last 3 years.

Councilmember Weninger asked how much of an impact would expanding field space on the southern part of Tumbleweed Park have. It was said that it would fit 2 full soccer field and 1 youth soccer field. Mr. Eynatten replied it would give us about 8 acres of just open green space that would be available for practice, so it would have a tremendous impact.

Councilmember Weninger asked if there would be a need for additional parking. Mr. Eynatten said staff is looking at incorporating temporary parking.

Mr. Eynatten added that another option staff has looked at is adding two game quality fields at Chuparosa Park that would not be lighted.

Vice Mayor Heumann asked about parking. Mr. Eynatten said there would be a need for additional parking, but we are not advocating lighting those fields because of the proximity to the apartment complex.

Vice Mayor Heumann asked if the Tumbleweed acres used for Ostrich Festival parking. Mr. Eynatten said they are. Staff is comfortable that if those fields are taken it could handle the parking, but it would take about two weeks to get them back into practice ready fields.

Mayor & Council, Communications & Public Affairs – Nachie Marquez
Assistant City Manager Nachie Marquez presented the budget for the Mayor & Council and Communication & Public Affairs. There were no questions.

City Manager – Marian Norris
Assistant to the City Manager Marian Norris presented the budget for the City Manager's Office. There were no questions.

Buildings & Facilities – Kris Kircher
Facilities Maintenance Manager Kris Kircher presented the budget for Buildings & Facilities. There were no questions.

Economic Development – Chris Mackay
Economic Development Director Chris Mackay presented the budget for Economic Development.

Mayor Tibshraeny asked what is transpiring with the Covance facility. Ms. Mackay said currently we do 4-5 tours a month for people interested in buying or repurposing the building. So far we have not found the right buyer.

Mayor Tibshraeny asked if that building be conducive to a veterinarian school. Ms. Mackay agreed it would be a phenomenal opportunity for a veterinarian school.

Mayor Tibshraeny asked if we, in cooperation with a broker, put some kind of mailing out to veterinarian schools to see if there would be interest in locating a veterinarian campus in Chandler. Ms. Mackay said she will immediately work with the City Managers. We have a list together and we track different colleges on a regular basis. We will put a marketing package together immediately and get them out to those schools.

Mayor Tibshraeny asked how viable is a Conference Center? Ms. Mackay said there have been meetings with two potential candidates of the conference center developer and they would develop the hotel. It is moving along well, however nothing is committed as of today. They are doing their due diligence

Vice Mayor Heumann asked how many different programs does Greater Phoenix Economic Council (GPEC) bring to our City and what would you say our return on investment is. Ms. Mackay replied our return on investment is about $46.00 for every $1.00 we invest to them. We have 11 locates that came from GPEC.

Downtown – Chris Mackay
Ms. Mackay presented the budget for Downtown.

Mayor Tibshraeny commented that the bar needs to be set high on the high density residential expansion. It is one thing to have residential in downtown, we all want to have more residential in downtown, but we also want to add value to downtown. In terms of the quality and the construction and how sustainable that will be in the long term. We want it to add value and be an asset. Ms. Mackay said they are working closely those particular tenants.

Airport – Lori Quan
Airport Administrator Lori Quan presented the budget for Airport.

Mayor Tibshraeny asked if the 40% of take offs and landings are coming from out of the area Ms. Quan replied

Vice Mayor Heumann said there needs to be a way to figure out the true economic impact of the airport. The million dollar general fund cost as an end price, what is the subsidy to be expected for next year to keep that fund whole. Ms. Quan said she would have to provide that later.

Human Resource – Debra Stapleton
Human Resources Director Debra Stapleton presented the budget for Human Resources.

Vice Mayor Heumann asked if success is being seen with the Wellness Program. Is this something over the next few years you can show tangible results that show things, like cholesterol levels down and weight loss that you can bring back to Council. Ms. Stapleton stated that is what the Return on Investments Analysis (ROIs) will do. To try to get more of a handle on what programs are successful and where we want to put all of our efforts. This compliance will help us provide more tangible information.

Councilmember Donovan asked if the new medical Request for Proposal (RFP) will include the Flexible Spending Account (FSA) contract that is with another vendor. Will we also be looking at doing a RFP for that as well? Ms. Stapleton said we have not done the RFP for the pay flex, this is just for the medical. We are considering that at this point, but have not look at that as part of this.

Councilmember Donovan clarified there is a timeline for the medical but not for the FSA and pay flex. Ms. Stapleton replied not at this point.

Information Technology – Steve Philbrick
Chief Information Officer Steve Philbrick presented the budget for IT.

Vice Mayor Heumann asked if tablets were being looked at. Mr. Philbrick replied it is definitely in place and definitely something we are looking at.

Vice Mayor Heumann asked if the Internet Explorer security issue affected us at all and was it something we monitored. Mr. Philbrick said the city was not affected. There is a patch out and our security team has been watching to make sure we are not seeing any issues.

ITOC – Steve Philbrick

Mr. Philbrick presented the budget for ITOC. There were no questions.

Neighborhood Resources – Jennifer Morrison
Neighborhood Resources Director Jennifer Morrison presented the budget for Neighborhood Resources.

Councilmember Donovan asked if the Code Inspector position correlates to the Housing and Human Services (HHSC) recommendation of half time funding of code inspection focused on some of lower income neighborhoods. Ms. Morrison said it does not. This is a brand new position for next year, 100% funded by the General Fund. We are looking at strategies internally to pay that person all the while communicating to HHS with the message that they should prioritize City requests when it comes to neighborhoods.

City Clerk – Marla Paddock
City Clerk Marla Paddock presented the budget of the City Clerk.

Vice Mayor Heumann asked for elections, do we pay per registered voter. Ms. Paddock replied that is correct as far as the amounts paid to the county.

Vice Mayor Heumann – Do we pay for the primary and the general elections if we are not participating in the election. For instance, if everything is decided in the primary do we have to pay for the general. Ms. Paddock said we do not have to pay for that, however there is still an expense because once we commit to being an onsite early voting site for the primary, we would continue to be one for the general so there would be an expense for that.

Councilmember Hartke asked how are we doing with keeping up or handling backlog of document storage. Ms. Paddock replied we are keeping up and gaining efficiencies. We are full staffed right now however during certain times of the year it becomes more difficult.

Councilmember Hartke asked about the passport record, and asked if that is just a traditional spike is the spring that is more accentuated this year or what can you attribute that to. Ms. Paddock said January through May are typically the busiest months. We saw a spike in 2007 and 2008 so we see those same people coming back, especially for children, because if you applied for a child passport back then it expired in 5 years.

Law – Kay Bigelow
City Attorney Kay Bigelow presented the budget for Law.

Councilmember Sellers asked about the $5 million liability self-insurance fund. Ms. Bigelow said that is for the payment for the cost and any damage award that the City would pay under its self-insurance. If we have liability that is where the damage award would come out of that fund as well as payments for outside council, expert witnesses, and the cost of running the case. It also pays for 4 staff positions, 2 risk management positions, a litigator, and a paralegal.

Management Services – Dawn Lang
Management Service Director Dawn Lang presented the budget for Management Services.

Vice Mayor Heumann asked about the PEPPI, when we are talking about T&D and a customer has a large duty fee how is that going to work when they pay with a credit card. Ms. Lang said for T&D the credit card fee will be paid for by the customer. So if the customer chooses to use a credit card they would have a percent that would be tacked on to the total bill.

Councilmember Ellen asked if a customer will be able to pay their water bills with credit cards. Ms. Lang said people have been able to pay their bill previously with a credit card, but the information could not be stored. With this enhancement the customer will now be able to store credit card information, banking information, and be able to set it up as auto pay. For utilities, that fee will actually be absorbed by the City and it will go into the overall rate setting for the enterprise funds.

Councilmember Ellen confirmed there are other departments where customers have to pay a fee if they use a credit card. Ms. Lang confirmed that was correct.

Councilmember Ellen asked if that included Recreation. Ms. Lang said Recreation is under a different solution than the PEPPI project. They are under the new Activenet project that they are implementing and those fees are also going to be absorbed by the City.

In response to questions from Councilmember Sellers, Ms. Lang said there will be notifications that come out that say your bill is ready for payment. If you are on auto payment that will automatically happen and the dollar amount will be in your notification. It will also allow you to view or print your invoice online and has the ability to store up to 36 months of invoices.

Councilmember Donovan said in terms of the banking fees it would seem beneficial to the banks to have us as a customer and that we should not have to pay fees because we have such high balances. Ms. Lang responded that staff recently went out on RFP for our banking contract which awarded to Chase. There are a lot of different fees, such as armor car pick up and utility lock box, which are extended services. Our banking fees themselves are pretty minimal and there are a lot of various fees that they do waive. We meet with them on a quarterly basis and we will continue to watch for opportunities to have fees waived.

Vice Mayor Heumann said another negotiating point would be the merchant fees, especially once the new billing system is up and running, and if we are taking more credit card payments.

Capital Improvement Projects (CIP) – Greg Westrum

Budget Manager Greg Westrum presented a general overview of the Capital Improvement Program (CIP), Projects, Funding Sources and impact on the tax levy. There were no questions.

Buildings & Facilities CIP – Kris Kircher

Facilities Maintenance Manager Kris Kircher presented an overview of the CIP for Buildings & Facilities. There were no questions.

Information Technology/ITOC CIP – Steve Philbrick

Chief Information Officer Steve Philbrick presented an overview of the CIP for IT/ITOC.

Vice Mayor Heumann asked what is agenda management analysis. Mr. Philbrick replied money has been set aside to start looking in sizing and figuring out what we need to do to implement a more electronic agenda management. It will be tied into things like tablets. The entire process would become automated throughout the city. This is money that would be used for consultants.

Vice Mayor Heumann asked if this would be operational in FY15-16. Mr. Philbrick said probably towards the end of FY15-16 depending on the information we get back and how intense it is to implement. There are examples out there on what has worked and has not worked, so we are going to work from those.

Economic Development CIP – Chris Mackay
Economic Development Director Chris Mackay presented an overview of the CIP for Economic Development.

Mayor Tibshraeny asked what the reason is for the $500,000/year maintenance is on the Downtown Redevelopment Program. Ms. Mackay replied the City owns a number of sites in Downtown Chandler, and there is landscape maintenance and gravel maintenance that have to happen, as well as things that may break that come up through the year. If we do not use that fund during the year it will roll back into the general fund.

Vice Mayor Heumann asked if the Commercial Reinvestment Program needs to be a re-evaluated as it has been in place now for 7 or 8 years. Ms. Mackay said it was modified in 2009 at this Council's direction to allow it to do demolition of underperforming retail. We can now turn underperforming retail into office or residential. We will work with Planning and Development and/or our intergovernmental liaison to re-review the program and report back to Council.

Vice Mayor Heumann referred to the Washington Street design, and asked is there a plan in place for Arizona Avenue from Frye to the 202 area. He said that section seems a higher priority than Washington because of commercial development that can go there. Ms. Mackay reported a staff team is researching what would be necessary to take it from Frye to 202 or to Pecos. Staff wants to assign some cost to back up the information to Council.

Councilmember Hartke commented that Washington is a good complement if the infrastructure and things that need to happen to further develop Arizona Avenue, since they are so close. He stated the focus needs to be the improvement between Pecos and Frye on Arizona Avenue, because that has become a gateway to our City.

Councilmember Hartke referred to the land acquisition and demolition, and asked if there are some open properties to potentially purchase for Washington Street. He asked if the funding that starts in FY 2015-16, is just a place holder for other potential projects as we see them or are there current plans. Ms. Mackay explained the $500,000 in land acquisitions has been traditional through our budget process to have that reserve when opportunities present themselves. There are no properties currently identified that we would be acquiring. In the past, if not used, it had actually rolled forward. In FY 2015-16 it is at Council's discretion as to whether it rolls forward or if it will be absorbed back into the general fund.

Airport CIP – Lori Quan
Airport Administrator Lori Quan presented an overview of the CIP for the Airport.

Mayor Tibshraeny said replacing the fuel tank is a very important issue. Staff needs to stay on top of it to make sure that there is no lagging of us have the ability to sell fuel at the airport. If we need a bigger tank in terms of capacity we should take care of this now rather than later.

Councilmember Sellers commented that a significant thing here is that a majority of the projects require very little investment on the part of the City, but the key is we have to have the funds available for our share in order to take advantage of the grants when they become available.

Vice Mayor Heumann asked what the pay back is on fixing the fuel tank. Would installing a bigger tank make us sell more fuel. Ms. Quan said this has been discussed over time with Management

Services, but they have not talked about upsizing the tank beyond what it is. Currently we have a 12,000 gallon tank. We can get back to you on that.

Vice Mayor Heumann asked for the number of CIP projects in FY 2014-15 in terms of safety versus capacity and what our share is and what does it cost for our total subsidy to the airport. He inquired if the CIP side added additional subsidy to that. Ms. Lang responded that the subsidy for 2014-15 includes $722,000 in capital related general fund dollars to the airport enterprise.

Vice Mayor Heumann clarified that of the $700,000, $260,000 is on the operating side. Ms. Lang said $263,000 is for operating on top of the $782,000 for capital.

Councilmember Sellers said he assumed that $750,000 would mostly be capital improvements and asked if that would increase the value in the airport. Ms. Lang replied that is true. The biggest expense of that $722,000 is the fuel tank. The others are some match on grants that if they do not go through; the money does not get spent.

Mayor Tibshraeny said he hopes we are encouraging other Fixed-based operators (FBO) to get business into our airport. Ms. Quan said we are always seeking those types of partners to get involved at our airport.

Community Services CIP – Mickey Ohland

Park Development and Operations Manager Mickey Ohland presented an overview of the CIP for Community Services.

In response to a question from Mayor Tibshraeny, Mr. Ohland said there are no further plans for aquatic facilities in Chandler.

Mayor Tibshraeny asked if there have ever been any discussions on an indoor aquatic facility whether it be public or private in Chandler. Mr. Ohland responded when Tumbleweed Rec Center was being looked at we had to consider an indoor aquatic facility as part of that. That project as it was built was about a $15 million dollar project and the aquatic facility would have added another $12 million dollars to it at that time. We can certainly take a look at that in our future CIPs.

Mayor Tibshraeny said that should be looked at with that private group that is looking to do some kind of water recreational amenity. There could be an opportunity of partnerships on something like that.

Vice Mayor Heumann asked given the close proximity of Homestead North and South Parks, what is the purpose of both. Mr. Ohland said Homestead North is more of a traditional neighborhood park. Homestead South is more open space, not a traditional park.

Vice Mayor Heumann – Has any consideration been given to a public or private partnership to add uniqueness so it is not something that is just open space. Mr. Ohland said South could have some drainage issues, but we can look at adding more uniqueness.

Fire CIP – Assistant Fire Chief Tom Carlson

Assistant Fire Chief Tom Carlson presented an overview of the CIP for Fire.

Vice Mayor Heumann noted on the new rescue vehicle, there are ongoing expenses listed. He asked if this took into account the fact that we won't be sending out a big truck anymore or is just the pure expense for that 2 man truck. Assistant Chief Carlson replied this is just the pure expenses for the 2 person truck.

Vice Mayor Heumann said after the completion of this pilot program, will you will be able to see and report on the difference in savings when sending out this truck versus the other truck. Assistant Chief Carlson said that is the intent.

Police CIP – Chief Sean Duggan
Chief Sean Duggan presented an overview of the CIP for Police.

Vice Mayor Heumann asked if the new radios for fire and police would be on the same bandwidth. Chief Duggan said that system already exists. This is a completely new mandate from the FCC to become more efficient and radio frequencies that are available nationwide.

Vice Mayor Heumann asked if this is a federal unfunded mandate. Chief Duggan said it is unfunded, but at the end of the day it is a good thing for public safety because we will have access to more frequencies in the future.

Municipal Utilities CIP– John Knudson
Senior Utilities Engineering Manager John Knudson presented an overview of the CIP for Municipal Utilities including Water, Wastewater, and Solid Waste.

Vice Mayor Heumann asked if the Water Rights Settlement is a one time or ongoing. Mr. Knudson replied it is a one-time payment.

Vice Mayor Heumann confirmed that is the last tribal settlement Mr. Knudson confirmed it is.

Transportation and Development CIP – Dan Cook
Transportation Manager Dan Cook presented an overview of the CIP for Transportation and Development.

Councilmember Weninger said he has heard nothing but rave reviews on the LED lights. The clarity of the light is very good without it bleeding as much. As some of these come available, he asked if staff didn't want to mix the different kinds of lights. Mr. Cook said for the short term, we are going to replace in kind. We will use up our inventory. Generally we are going to do our upgrades in neighborhoods or blocks of neighborhoods at the same time so it is uniform.

Councilmember Hartke asked the construction completion date for Alma School/Chandler. Mr. Cook said likely the fall of 2016. Start would be in the spring of 2016.

Mayor Tibshraeny asked where the storm water runs to on the Downtown Storm Drain Improvement. Mr. Cook said this would bring it down to Chandler Blvd and Arizona Ave.

Vice Mayor Heumann asked for an update on the Western Canal project. Mr. Cook reported there is a Maricopa Association of Governments (MAG) study with other communities in the valley and the railroad to look at various crossings including this one and finalizing that study on the MAG process. We are ready to kick off our design as well and then construction in FY 2015-16.

Mayor Tibshraeny asked if the Gilbert side has improved on the Western Canal project. Mr. Cook said the Gilbert sidewalk is missing in that area. We have coordinated with Gilbert and they will participate on it.

Councilmember Hartke asked if other valley cities are using the flashing yellow lights project. Mr. Cook replied that other cities around the valley are using them but probably at more selected areas. We are the first city to be more citywide in the valley and probably the state.

Councilmember Hartke said people seem confused by these and asked if there was education being done. Mr. Cook said the signage has been adjusted and stated he believed the change is helping in those locations. As people drive it more they become accustomed to what it means and get used to the flashing yellow fairly quickly. Ms. Marquez added that a tremendous amount of communication was distributed through Cityscope and our website as well.

Councilmember Ellen said she remembered seeing signage above the light to explain it, but she was not sure which city. Mr. Cook said Chandler has done that too.

In response to a question from Mayor Tibshraeny, Mr. Cook explained every signal that is connected to the traffic management center, is adjustable at the traffic management center. We have a few that aren't connected yet, and we would have to go make those manually.

Planning – Jeff Kurtz
Jeff Kurtz presented an overview of the CIP for Planning.

Mayor Tibshraeny asked regarding the Update Master Plan project, if the vote will occur in 2018 for that committee. Mr. Kurtz said 2018.

Councilmember Hartke asked if we are supposed to do this every 10 years. Mr. Kurtz said Statute suggests that we do it every 10 years.

Councilmember Hartke asked if there was a penalty accrued if it is not passed the first time through. Mr. Kurtz said that is correct. The existing one is still valid.

Wrap up – Dawn Lang

Adjournment: The Mayor adjourned the meeting at 3:14 p.m.

ATTEST:

City Clerk

Mayor

Approval Date of Minutes: January 8, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on May 2, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12 day of January 2015

City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, May 19, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:34 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

1. PROPOSED 2014-15 TENTATIVE BUDGET AMENDMENTS

The purpose of this meeting is to allow Council the opportunity to discuss and vote on proposed budget amendments prior to the adoption of the FY 2014-15 Tentative Budget.

If any budget amendments are approved on May 19th, the Tentative Budget adoption item on the May 22, 2014, Council meeting agenda will be revised to update the Auditor General Report Forms that are part of the Tentative Budget resolution. The revised Tentative Budget adoption memo will be posted and provided to Council by Wednesday, May 21st.

The current total of requests for use of one-time Council contingency funds is $355,000, which exceeds the amount available by $30,000. Council will need to either reduce the combined requests by $30,000 or use a portion of the ongoing $75,000 for one-time purposes. While City financial policies prohibit the use of one-time funding for ongoing purposes, the use of ongoing funding for a one-time purpose is acceptable.

AMENDMENTS:

USE OF ONE-TIME COUNCIL CONTINGENCY

1. Request: $10,000 in seed money for the Chandler Education Coalition Early Literacy Campaign based on the receipt of matching grant funds, Chandler Unified School District matching funds and committee approval.

VICE MAYOR HEUMANN spoke of the work being done on early literacy of children 0-5 years of age and preparing them for school. This organization has several partners from the community and the schools and stated the money would not be spent until the matching funds were acquired and the Chandler Education Coalition approved how the money would be spent.

MOTION BY VICE MAYOR HEUMANN TO AMEND PROPOSED FY 2014-15 BUDGET BY TRANSFERRING $10,000 FROM ONE-TIME GENERAL FUND COUNCIL CONTINGENCY FUNDS TO THE CHANDLER EDUCATION COALITION EARLY LITERACY CAMPAIGN BASED ON THE RECEIPT OF MATCHING GRANT FUNDS AS WELL AS CHANDLER UNIFIED SCHOOL DISTRICT MATCHING FUNDS AND COMMITTEE APPROVAL. THE MOTION WAS SECONDED BY COUNCILMEMBER HARTKE.

MOTION CARRIED UNANIMOUSLY (7-0)

2. Request: $5,000 for swim lesson scholarships for qualified participants (3-17 years of age). Funding would allow the Aquatics program to provide approximately 200 free swim lessons to youth residing in Chandler households who qualify, based on the Maricopa County Very Low Income Limits (50% of median income), for Section 8 Housing guidance. Aquatic Staff will work with the City of Chandler Housing and Redevelopment Division and the Chandler Unified School District and will use social media resources to promote this opportunity.

VICE MAYOR HEUMANN stated there are not enough funds for basic swim lessons for the low income community. The importance is to teach the basics of swimming and with this training, decrease the number of drowning's.

MOTION BY VICE MAYOR HEUMANN TO AMEND PROPOSED FY 2014-15 BUDGET BY TRANSFERRING $5,000 FROM ONE-TIME GENERAL FUND COUNCIL CONTINGENCY FUNDS TO THE COMMUNITY SERVICES DEPARTMENT AQUATICS COST CENTER SPONSORSHIP DONATIONS ACCOUNT FOR SWIM LESSIONS FOR AGES 3-17 APPROXIMATLY 200 SWIM LESSIONS TO YOUTHS RESIDING IN CHANDLER WHO QUALIFY, BASED ON THE MARICOPA COUNTY LOW INCOME LIMITS. THE MOTION WAS SECONDED BY COUNCILMEMBER ELLEN.

COUNCILMEMBER DONOVAN inquired about the existing scholarship account and inquired on the balance of that fund.

COMMUNITY SERVICES DIRECTOR MARK EYNATTEN stated that the scholarship fund once had a corporate sponsor, but does not have that sponsor any longer. Without the $5,000 there would be no money for the scholarship fund.

COUNCILMEMBER WENINGER inquired what efforts were underway to seek a corporate sponsor. Mr. Eynatten stated Staff was actively seeking corporate sponsorships.

MOTION CARRIED UNANIMOUSLY (7-0)

3. Request: $150,000 for the addition of two unlit "game grade" athletic fields at Chuparosa Park to accommodate more soccer, football and lacrosse practices. The additional fields will assist in meeting the demand for the reservable practice space in Chandler. Operations and maintenance expenses would be absorbed in the Community Services budget.

COUNCILMEMBER WENINGER stated there is a tremendous amount of children and adults playing sports and not enough fields to play on. If this request is approved it will provide some relief so the other fields are not over used and preserve some of the "game grade" fields.

COMMUNITY SERVICES DIRECTOR MARK EYNATTEN stated the city is receiving several requests for lacrosse fields. It is the most popular sport right now. He addressed questions from Councilmember Weninger regarding the savings from previous park builds which was approximately $1.2 million saved in development costs and approximately $400,000 of that money is in General Obligation bonds which can be used in other cases. There are approximately 6 acres in Tumbleweed Park they have considered for additional "practice grade" play fields.

In response to a question from the VICE MAYOR, Mr. Eynatten said because the city is already maintaining the area at Tumbleweed Park, there should not be an increase in the budget for maintenance services. The extra play fields would not be restricted to youth, or adult teams nor would they be lighted. These fields would be open to everyone. Mr. Eynatten added that the "rest and recovery" for the park fields is still in practice.

The Vice Mayor said eventually Tumbleweed Park will be developed and this has to balance with the utilization for parking with the Ostrich Festival.

In response to questions from COUNCILMEMBER HARTKE, Mr. Eynatten confirmed there are no plans to add lights to Chuparosa Park. Mr. Eynatten said there are two cricket fields in Chandler and they are currently able to meet the need.

COUNCILMEMBER WENINGER MOVED TO AMEND PROPOSED FY 2014-15 BUDGET BY TRANSFERRING $150,000 FROM ONE-TIME GENERAL FUND COUNCIL CONTINGENCY FUNDS TO THE COMMUNITY SERVICES DEPARTMENT CAPITAL COST CENTER PARK IMPROVEMENTS ACCOUNT EXISTING COMMUNITY PARKS IMPROVEMENTS REPAIRS, PROJECT 401.4580.6611.0000.6PR530 FOR CONSTRUCTION OF TWO ATHLETIC FIELDS AT CHUPAROSA PARK. THE MOTION WAS SECONDED BY COUNCILMEMBER SELLERS.

MOTION CARRIED UNANIMOUSLY (7-0)

4. Request: $75,000 for additional shade structures at Snedigar Sportsplex. These upgrades will match newer facilities currently in the Valley. The shade structures will increase comfort for spectators during the City's 39 adult sports leagues and 21 annual tournaments held at Snedigar. This also continues the focus of the Mayor and Council to increase opportunities for more shade at City parks and recreation facilities.

MAYOR TIBSHRAENY stated the additional installation of 6 shade structures would improve the comfort and enjoyment of the spectators and bring Chandler more in alignment of what other communities are doing to increase the enjoyment of their parks.

MAYOR TIBSHRAENY MOVED TO AMEND PROPOSED FY 2014-15 BUDGET BY TRANSFERRING $75,000 FROM ONE-TIME GENERAL FUND COUNCIL CONTINGENCY FUNDS 101.1290.5924 TO THE COMMUNITY SERVICES DEPARTMENT CAPITAL COST CENTER PARK IMPROVEMENTS ACCOUNT EXISITING COMMUNITY PARKS IMPROVEMENTS/REPAIRS PROJECT 401.4580.6611.0000.6PR530 FOR CONSTRUCTION

OF ADDITIONAL SHADE STRUCTURES AT SNEDIGAR SPORTSPLEX. THE MOTION WAS SECONDED BY VICE MAYOR HEUMANN.

MR. EYNATTEN clarified the location of the shade structures would be along Alma School near those 6 fields. This is spectator shading and will also cover a playground. Mr. Eynatten said staff will be bringing for a $2 million Capital Improvement Program to Council next year as Snedigar is 20 years old and in need of improvements.

MOTION CARRIED UNANIMOUSLY (7-0)

MAYOR TIBSHRAENY STATED HE WOULD TAKE ITEM 6 NEXT SINCE IT WAS TIED TO THE PARK IMPROVEMENTS AND DISCUSSION HELD ON ITEM 4.

6. Request: $30,000 for restroom improvements at Snedigar Sportsplex in order to eliminate a major source of complaints from facility users and improve the experience for patrons.

MAYOR TIBSHRAENY stated he believes this item went hand in hand with the discussion on Item 4 regarding park improvements. Snedigar Sportsplex is approximately 20 years old and is due for major renovations and upgrades.

COUNCILMEMBER WENINGER inquired whether the City has a private company monitor this park for maintenance and if the City does spot checks to make sure they are being serviced according to the contract.

MR. EYNATTEN confirmed there is a contracted service for maintenance of facilities like Snedigar. These services are on weekends and holidays especially if sport games are scheduled during those times. Trash service was contracted out, but did not meet the City's standard, so the City now takes care of trash service and monitors the restrooms during the weekends with a skeleton crew.

VICE MAYOR HEUMANN inquired what upgrades would the $30,000 provide to Snedigar Park.

MR. EYNATTEN stated the upgrades would be to update the plumbing and toilets.

MAYOR TIBSHRAENY MOVED TO AMEND PROPOSED FY 2014-15 BUDGET BY TRANSFERRING $30,000 FROM ONE-TIME GENERAL FUND COUNCIL CONTINGENCY FUNDS 101.1290.5924 TO THE COMMUNITY SERVICES DEPARTMENT CAPITAL COST CENTER PARK IMPROVEMENTS EXISTING COMMUNITY PARKS IMPROVEMENTS/REPAIRS PROJECT 401.4580.6611.0000.6PR530 FOR REHABILITATION OF RESTROOMS AT SNEDIGAR SPORTSPLEX. THE MOTION WAS SECONDED BY VICE MAYOR HEUMANN.

MOTION CARRIED UNANIMOUSLY (7-0)

MAYOR TIBSHRAENY briefly discussed the possible opportunity to add lighting to fields 9 and 10 at Snedigar Sportsplex with the savings from the previous two park builds in the amount of $225,000.

MARK EYNATTEN stated they could actually light 2 little league fields and 2 soccer fields. The

ability to play at night greatly increases the opportunity to play. A prioritized proposal within the capital improvements plan would be presented to Council with park renovations.

5. Request: $85,000 for the purchase of a new bus for enhanced transit services. Staff is currently working with Valley Metro to modify Route 96 (Dobson Road) to serve one mile of Price Road between Germann Road and Queen Creek Road and to add a minor deviation to service the Intel campus. When combined, the two route modifications add to the running time of the route, creating a potential need for a new bus. Chandler and Valley Metro staff are working together to come up with a solution to service both Price Road and the Intel campus without the need for an additional bus; however, if it is not possible, Chandler would need to purchase a new bus for this service. The estimated cost of a new 40-foot bus is $560,000. If federal funding is obtained, the local match would be approximately $85,000. If it is not necessary to purchase the bus, the $85,000 shall be used for other transit opportunities.

MAYOR TIBSHRAENY MOVED TO AMEND PROPOSED FY 2014-15 BUDGET BY TRANSFERRING $55,000 FROM ONE-TIME GENERAL FUND COUNCIL CONTINGENCY FUNDS AND $30,000 FROM COUNCIL ON-GOING FUNDING TO THE TRANSPORTATION AND DEVELOPMENT DEPARTMENT TRANSIT COST CENTER MOTOR VEHICLES ACCOUNT FOR THE CITY MATCH FOR THE PURCHASE OF A NEW BUS. THE MOTION WAS SECONDED BY COUNCILMEMBER DONOVAN.

MOTION CARRIED UNANIMOUSLY (7-0)

COUNCILMEMBER HARTKE verified there was $45,000 still in the Council Contingency On-Going Fund. MR. DLUGAS confirmed that was correct.

Adjournment: The meeting was adjourned at approximately 8:26 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: June 12, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 19th day of May 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 16 day of June, 2014.

_____ City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, May 22, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:02 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	*Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

*Councilmember Donovan participated by phone.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION:

PLEDGE OF ALLEGIANCE: Susan Stevens-Clarke from Chandler Bahai Faith led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

A Request to Speak on item 14 had been submitted – Discussion is noted under that item.

COUNCILMEMBER HARTKE STATED HE WOULD VOTE NO ON ITEM 2.
COUNCILMEMBER ELLEN STATED SHE WOULD VOTE NO ON ITEM 2 AND 14.
COUNCILMEMBER DONOVAN STATED SHE WOULD VOTE NO ON ITEM 2.

MOTION CARRIED UNANIMOUSLY (7-0) with the exceptions noted.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Special Meeting of May 5, 2014.
1b. Study Session of May 5, 2014.
1c. Regular Meeting of May 8 2014.

2. REZONING: Arizona Avenue & Queen Creek Road Ord. #4536

COUNCILMEMBERS HARTKE, DONOVAN AND ELLEN VOTED NAY.

ADOPTED (4-3) Ordinance No. 4536 , DVR13-0042 Arizona Avenue & Queen Creek Road, rezoning from conceptual Planned Area Development (PAD) for Commercial/Office/Business Park to PAD (Low-Medium Density Residential) on approximately 14 acres located at the NEC of Arizona Avenue and Queen Creek Road.

3. REZONING: Arizona K-9 Center Ord. #4538

ADOPTED Ordinance No. 4538, DVR13-0017, Arizona K-9 Center, rezoning from Planned Area Development (PAD) for machine shop, tool and die to PAD (dog daycare, boarding, grooming, training and related uses) located at 1535 N. Dobson Road.

4. REZONING: Pescara Ord. #4539

ADOPTED Ordinance No. 4539, DVR13-0051 Pescara, rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential development on 19 acres located east of the NEC of Gilbert and Riggs roads.

5. AGREEMENT: tw telecom of Arizona llc Ord. #4540

ADOPTED Ordinance No. 4540 authorizing an agreement with tw telecom of Arizona llc for the Use of Facilities in the City's Rights-of-Way and Public Places to Establish a Class 4 and 5 Communication System.

6. REZONING: Allred Park Place Ord. #4541

ADOPTED Ordinance No. 4541, DVR13-0032 Allred Park Place, rezoning from Planned Area Development (PAD) for commercial, office and business park uses including a Mid-Rise Overlay for buildings up to 85-feet in height, to Planned Area Development (PAD) for business park, hotel, conference center and service retail uses, including a Mid-Rise Overlay for buildings up to 150-feet in height on approximately 73 acres located at the NE and SW corners of Price and Willis roads.

7. POWER DISTRIBUTION EASEMENT: Salt River Project Ord. #4530

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4530 granting a no-cost power distribution easement to Salt River Project (SRP) along portions of the west side of McQueen between Ocotillo to Chandler Heights roads.

BACKGROUND/DISCUSSION
As part of the development of Phase II of McQueen Road from Ocotillo Road to Chandler Heights Road, it is necessary for SRP to relocate some of their facilities along the west side of McQueen Road. The easement will be at no cost to SRP as the work is part of a City project and benefits the public.

Staff has reviewed and approved the legal descriptions for the easement.

8. POWER DISTRIBUTION EASEMENTS: Salt River Project Ord. #4542

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4542 granting two no-cost power distribution easements to Salt River Project (SRP) for the new North Terminal Parking Lot located on the north side of Ryan Road at the Chandler Municipal Airport for Project AI-1301

BACKGROUND/DISCUSSION
As part of the North Terminal Parking Lot improvements located on the north side of Ryan Road at the Chandler Municipal Airport, streetlights were installed to provide lighting for the parking lot. In order for SRP to deliver the power needed for the streetlights, a power distribution easement is required from Ryan Road to the transformer for the streetlights. A second easement is required for pad-mounted equipment on the south side of Ryan Road. These easements will be at no cost as they were required by a City project and benefit the public. Construction on this project has been completed.

Staff has reviewed and approved the legal descriptions for the easements.

9. 2014-15 TENTATIVE BUDGET AND 2015—2024 TENTATIVE CAPITAL IMPROVEMENT PROGRAM Res #4763

ADOPTED Resolution No. 4763 adopting the 2014-15 Tentative Budget and 2015-2024 Tentative Capital Improvement Program and giving notice of the dates and times for hearing taxpayers, for final adoption of the budget and for setting the tax levies and tax rates.

BACKGROUND
As required, the budget forms will be published in the Arizona Republic newspaper, as will a notice that the City Council will meet on June 12, 2014, at 7:00 p.m. for the purpose of a public hearing and for final adoption of the 2014-15 Budget, and will further meet for the purpose of setting the tax levies on June 26, 2014, at 7:00 p.m. The budget amendments that were approved at the special meeting held on Monday, May 19th, are incorporated.

In summary, the 2014-15 recommended budget totals $783,474,647 and includes funding for departmental operating budgets of $330,731,480; funding for debt service of $64,891,189; budget for equipment technology and vehicle replacement purchases of $10,190,061; and contingencies and reserves in the amount of $95,368,718 in various funds. The capital budget includes $99,722,319 in new appropriation, capital carry forward of $181,220,880 and contingency and reserve funding of $1,350,000.

Included in the projected operating revenues of $478,435,469 is a property tax levy of $27,283,365 based on a rate of $1.1792 per $100 assessed property value (reflecting a 9.22 cent decrease to the rate), plus $488,535 for SRP's payment to the City in lieu of property tax for a total of $27,771,900.

The Tentative Budget and Resolution, including the budget forms as well as the 2015-2024 Tentative Capital Improvement Program, will be available for public review and inspection May 27, 2014, on the City's official website www.chandleraz.gov and at the City of Chandler Libraries, City Clerk's office and the Management Services Administration office located in the Chandler City Hall.

As in past years, Section 4 of the resolution includes certain delegations to the City Manager or designee to transfer funds for specific administrative purposes such as year-end encumbrances,

capital project carry forward and allocation of personnel budgets following final negotiation of memorandums of understanding (MOU). The Resolution includes a new delegation in Section 4.h. which allows the City Manager or designee to transfer funds from Lump Sum agreements paid by developers to a specific department to utilize those funds for a specific capital project or other improvement. This will streamline the process and allow more expeditious use of the revenues received from Lump Sum agreements.

10. PASS-THROUGH GRANT APPLICATION: The Payne Foundation Res. #4768

ADOPTED Resolution No. 4768 authorizing the submittal of a $681,495.00 Pass-Through Indian Gaming Grant application from The Payne Foundation, Inc., dba Driver's Edge, to the Gila River Indian Community.

BACKGROUND/DISCUSSION
The grant funding sought by The Payne Foundation, Inc., dba Driver's Edge, is intended to be used to fund three separate Driver's Edge safe-driving instructional events at Firebird International Raceway each year for the next three years. Each event accommodates approximately 400 students and 300 parents. The request asks that payments be disseminated over a three-year period, which could tie up funding for other requesters in outlying years.

11. AUTHORIZATION: Fire Chief Res. #4767

ADOPTED Resolution No. 4767 authorizing the Fire Chief to conduct all negotiations and execute and submit all documents in connection with the Gila River Indian Community's State-Shared Revenue Grant.

BACKGROUND
The Fire Department will apply for $176,564 in funding from the Gila River Indian Community's (GRIC) State-Shared Revenue Program. Grant funds will be used to purchase new NFPA 1801 (2013) compliant Thermal Imaging Cameras (TICs) for all front line response units. The current TICs are approaching eight years in service and are reaching the end of their repair lives.

NFPA adopted a new standard in 2013 that addresses image quality, environmental stress operational format and technological enhancements. The purchase of new NFPA 1801 compliant TICs provide state-of-the-art equipment for all front line fire units, thereby enhancing the Fire Department's ability to assist with search and rescue efforts during emergency situations.

FINANCIAL IMPLICATIONS
This grant does not require matching funds.

12. PASS-THROUGH GRANT APPLICATION: Seton Catholic Prep Res. #4769

ADOPTED Resolution No. 4769 authorizing the submittal of a $377,000.00 Pass-Through Indian Gaming Grant application from Seton Catholic Preparatory High School to the Gila River Indian Community to assist with the capital costs of an all-weather track facility including all field events, curbing and fencing at the school.

13. PASS-THROUGH GRANT APPLICATION: Dignity Health Foundation Res. #4770

ADOPTED Resolution No. 4770 authorizing the submittal of a $1,047,031.00 Pass-Through Indian Gaming Grant application from Dignity Health Foundation, East Valley, to the Gila River

Indian Community to operate a Level 1 Trauma Center, trauma specific training for hospital staff and a course to develop rural trauma teams in outlying facilities. The request asks that payment be disseminated over a two-year period, which could tie up funding for other requesters in 2015.

14. AIRPARK AREA PLAN AMENDMENT / REZONING / PRELIMINARY DEVELOPMENT PLAN / PRELIMINARY PLAT: Willis Gated Community Res. #4774 & Ord. #4545

MR. MICHAEL HAMPSHIRE 1040 E Hawken Way, spoke in opposition to the housing development. He does not see a substantial difference in the reduction from 66 units to 35 units in the proposed 6 acre development. He believes the number of residents is still too much for that small area and it is in a poor location. The developer chose a poor location and is now asking the City to accommodate their plans with several changes and amendments to the proposed sites building requirements. Previously the plans were rejected due to traffic safety, and those concerns still exist. He acquired a document from the Chandler Police department with the number of traffic accidents from January 2013 to present and there are two pages with 22 accidents in the proposed development area. He would like to see the City Council review in detail the cause of these traffic accidents and possibly take ownership of the interchange area on McQueen before the Council makes a decision on this development. Consideration should include traffic flow in and out of the development.

COUNCILMEMBER ELLEN VOTED NAY.

ADOPTED (6-1) Resolution No. 4774, APL14-0004 Airpark Area Amendment, to the Airpark Area Plan amending approximately 6 acres from High-Density Residential to Low-Medium Density Residential.
INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4545, DVR14-0004, Willis Gated Community, rezoning from agricultural (AG-1) to Planned Area Development for detached single-family residential.
APPROVED a Preliminary Development Plan for subdivision layout and building architecture of a 35-lot single-family residential subdivision located east of the SEC of McQueen and Willis roads.
APPROVED Preliminary Plat, PPT14-0006 Willis Gated Community, located east of the SEC of McQueen and Willis roads. (Applicant: Mike Curley; Earl, Curley and Lagarde.)

BACKGROUND
The subject site is located east of the southeast corner of McQueen and Willis roads and is zoned AG-1. The site is located within the nine square-mile Chandler Airpark Area Plan (CAAP) and designated as supporting high-density residential, allowing for residential density up to 18 dwelling units per acre. West of the subject site is an existing Arizona Department of Transportation (ADOT) facility located within the jurisdiction of the County. North are single-family homes with agricultural privileges also located within the County. East is vacant land zoned PAD for multi-family residential development with a proposed density of 18 dwelling units per acre. The subject site abuts the Loop 202 Santan Freeway and is a remnant piece from the development of the freeway.

AREA PLAN AMENDMENT
The subject site is part of the CAAP that encompasses nine square miles bounded by Pecos Road on the north, Gilbert Road on the east, Ocotillo Road on the south and Arizona Avenue on the west. The site is currently designated as High-Density residential allowing for a residential density range between 12-18 dwelling units per acre. The request is to amend the area plan to Low-Medium Density residential that has a density range between 3.6-8 dwelling units per acre; the proposed density is 5.83 dwelling units per acre. While the site is one of few areas within the

area plan that is designated for high-density residential, based on the limited access to the site, the Planning Commission and Planning Staff find that an amendment to a lower residential classification is appropriate.

SUBDIVISION LAYOUT

The development is proposed as a 35-lot, gated single-family residential development, with an overall density of 5.83 dwelling units per acre. Due to the site limitations in depth and width, the layout presents a unique development opportunity. Typical lot dimensions are 55' x 71', for a lot size of 3,905 square feet. The primary entrance to the site is centrally located along Willis Road with a secondary emergency access located at the site's east end. The entry terminates at the community center, which serves as the main amenity area and focal point of the community. The community center provides a large multi-purpose room, kitchen, fitness room, recreation room, and a pool area. Due to the subdivision being a gated community, the amenities are strictly for the residents of the community.

With the unique constraints of the site, efficient layout can be difficult. The subdivision is designed in a loop road fashion, with a majority of the homes backing up to the edge of the site. As development occurs in a more infill type nature, and private streets are elected as part of the design, ensuring that there is adequate parking is often a concern. Although the streets are private, they have been designed to allow parking along one side of the street. Additionally, 22 guest parking stalls are provided, with 16 at the site's west end and an additional six along the eastern end, this is in addition to the two-car garage and minimum two-car parking on each driveway.

Based on the limited depth of the site, the homes present a more infill design. While the setbacks are relatively consistent with traditional large tract subdivision with the front setback being ten feet for livable or side-entry, the rear setback is a modest 10 feet. Although the rear setback is 10 feet, the setback is consistent with the SF-8.5 zoning designation.

HOUSING PRODUCT

Three floor plans are provided, with three elevations per floor plan. Two of the plans provide forward-facing garages with the third plan providing a side-entry garage. Homes range in size from 2,333 to 2,410 square feet. The homes all provide three bedrooms with three full bathrooms. Various elements are incorporated into the architectural design of the home to provide diversity including: window muntins throughout all elevations, shutter detailing, shading of windows through roof projections, and corbel elements. Brick veneer, stacked stone veneer, and siding elements are incorporated into the elevations to provide additional diversity.

INFO:

The Planning Commission and Planning Staff support the amendment to the CAAP, citing that while high-density residential development can be an appropriate land-use adjacent to freeways, in this particular case, due to limited access on McQueen Rod and the dead-end design of Willis Road, reducing the density is appropriate.

Additionally, the Planning Commission and Planning Staff support the Rezoning and PDP request citing that the design team has worked diligently in addressing a number of design constraints (site size, layout, parking and traffic generation) successfully.

Prior to submitting the proposal, the developer met with ADOT representatives and City of Chandler Transportation Staff to discuss potential solutions to the McQueen and Willis road intersection. As a result of the meetings, ADOT agreed that if the City of Chandler were to take

control of the intersection, currently in ADOT's control, a left turn onto McQueen Road from Willis Road would be allowed, assuming proper design. Following the design, the developer also commissioned a traffic study to determine if the reduction in residential density would warrant the left turn in the event the left turn is not desired. While the left turn out is not warranted based on the traffic counts, it does present a solution to circulation concerns. If the request is approved by Council, annexation of the intersection will be required in order to proceed with the left turn-out.

Transportation Staff and Planning Staff have reviewed the traffic impact study and examined both current traffic counts and expected traffic counts on McQueen Road. Based on the study, it is anticipated that the site will generate 334 daily trips (includes coming and going) which is equivalent to just slightly more than one percent of the current traffic count at this portion of McQueen Road, and equivalent to just less than one percent for anticipated traffic counts in 2030 for this portion of McQueen Road.

A part of the review for single-family residential development, subdivisions requesting designation of PAD have to meet a number of design elements as outlined in the Council-adopted Residential Development Standards (RDS). Depending on the size of the residential lots, a certain number of points need to be obtained. In this case, since all of the lots are less than 7,000 square feet, all of the development standards for subdivision diversity need to be met (eight required), along with meeting all of the 21 optional subdivision diversity elements. Additionally, in the event that any lots are less than 7,000 square feet, the same number of lots shall be required to be at least 1,000 square feet. When the RDS were initially envisioned, the standards were designed more towards larger subdivision development where large amounts of land allowed for design creativity. Provisions are provided in the RDS that allow for relief of the standards for infill-type developments. The site represents an infill-type development.

AIRPORT COMMISSION

The Airport Commission found that there were no conflicts between airport operations and the proposed development, but wanted to ensure that disclosure statements would be provided to future residents that there may be aircraft noise. Staff has added condition no. 9 addressing disclosure of airport operations in the vicinity.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on April 2, 2014. There were seven neighbors in attendance. Planning Staff has received a number of phone calls and emails, primarily from residents within the Las Casitas Del Sur residential subdivision located approximately a quarter-mile north of the subject site. Initially, the residents wanted to know what was being proposed and to express their concerns about traffic; however, recently, the residents have expressed stronger concern over the potential traffic resulting in stated opposition to the request. A legal protest was filed by Jarrell Wood, but Mr. Wood withdrew his protest on May 22, 2014.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

The item was pulled for a full presentation due to two neighbors wanting to express their concerns. Both neighbors did not express opposition to the proposal but rather continued to stress traffic concerns related to the McQueen and Willis roads intersection. The first neighbor lives west of McQueen Road and north of the site and states concerns with u–turns that currently occur on Wildhorse Drive. The resident was aware of the proposed modification to the median but wondered if there was a solution that would also remedy the u-turn issue. Planning Staff

stated that the way the median is currently designed, there is not sufficient room to locate a designated left turn bay which would resolve the u-turn issue. The second resident that spoke, lives on the north side of Willis Road and had reservations about the generated traffic and while the left turn-out may help, it posed a safety concern for traffic going across the three lanes and suggested that a signalized intersection may be a better solution. Planning Staff has discussed the option of a signalized intersection with the Traffic Division resulting in a strong recommendation to not signalize the intersection as the traffic counts do not warrant the signal and that additional safety issues arise when signals are too close to each other.

RECOMMENDED ACTIONS

Area Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

Rezoning

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "WILLIS GATED COMMUNITY", kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0004, except as modified by condition herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street media landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

Preliminary Plat

The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

15. PRELIMINARY DEVELOPMENT PLAN: Chuck E Cheese's

APPROVED a Preliminary Development Plan, PDP14-0004, Chuck E Cheese's, for the site layout and building architecture for a new restaurant on approximately 2.5 acres located at the SEC of Frye Road and the Loop 101 Price Freeway. (Applicant: Bill Melvin; Melvin Property #3260, LLC.)

BACKGROUND

The approximate 2.5-acre site received Planned Area Development (PAD) zoning in July 2006, as part of the larger 6-acre Chandler Hilton development. The western half was identified as Phase II permitting future Community Commercial District (C-2) uses; however, requiring future PDP approval. The proposed restaurant land use is consistent with the approved PAD for C-2 uses zoning.

The subject site is surrounded to the south and southeast by vacant and developed properties zoned Planned Industrial District (I-1) containing a mix of office and industrial uses. Frye Road abuts the property on the north, with an industrial facility located north of Frye Road. The Loop 101 Price Freeway is located on the property's west side. The Chandler Fashion Center Regional Mall is located west of the Loop 101 Price Freeway. The existing 6-story Hilton Hotel abuts the subject site's east side.

The proposed 15,000 square-foot restaurant faces Frye Road and is centrally located within the site. Vehicular access is provided from an existing shared entry drive along Frye Road as well as a right-in right-out drive off the Price Frontage Road at the site's southwest corner. A portion of the site's streetscape landscaping was installed with the Phase I Chandler Hilton building. The proposed development will refresh the existing landscaping and complete the balance of the site. The landscape pallet and design continues the theme established by Phase I.

Architecturally, the building pulls cues from the adjacent Hilton Hotel building, while incorporating the Chuck E Cheese's corporate elements designed to appeal to the younger clientele. The building includes a stacked limestone veneer wainscot similar to the hotel building. As well, exaggerated columns, articulate cornice detailing and grid scoring pattern all derive from the hotel. The paint colors are also taken from the hotel building in an effort to create development cohesiveness. The building provides its own identity through the use of colored window shade awnings and the checkered background of the architectural projections.

The request includes a comprehensive sign package. Building mounted signage includes individual mounted LED internally illuminated pan channel lettering and logo. The booklet includes a detail identifying the manner in which the underside of the colored shade awnings is illuminated. The awnings include an egg-crate soffit that provides diffused light to illuminate the pedestrian pathways. Finally, the booklet does include an exhibit indicating the parapet led border illumination around the entry tower element. A condition is included that prohibits this as the Code does not permit exposed building illumination.

Planning Staff supports the request. The subject site, although zoned for C-3 uses, does not provide traditional access and visibility normally associated with a commercial corner. However, the site's close proximity to the Chandler Fashion Center makes it a perfect location for a "destination oriented" restaurant/entertainment facility such as Chuck E Cheese's. The applicant has worked to integrate the building with the adjacent hotel while providing for its own individuality. It is important to note that while traditionally corporate stylized architecture is discouraged throughout Chandler, the regional commercial environment surrounding the mall has routinely included increased corporate identification elements such as found on the proposed Chuck E Cheese's building. Additional exhibits and development details can be found in the Development Booklets.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice letter was sent out. Planning Staff received correspondence from a representative of the adjacent Hilton Hotel expressing support. The representative indicated that

often the hotel caters to parents of club-sports teams who routinely look for activity locations for the other children. The hotel representative indicated this would be a nice amenity so close to the hotel. Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 3823, in case DVR06-0012 CHANDLER HILTON, except as modified by condition herein
2. Development shall be in substantial conformance with the attached Development Booklet entitled "CHUCK E CHEESE'S #3260", kept on file in the City of Chandler Planning Services Division, in File No. PDP14-0004, except as modified by condition herein.
3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
4. Approval by the Planning Administrator and Director of Transportation and Development for landscaping (open spaces and rights-of-way), perimeter walls and arterial street median landscaping is required.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
7. Exposed exterior building illumination is prohibited.

16. ZONING EXTENSION: Falcon Pointe at Pinelake

APPROVED a 3-year zoning extension for DVR14-005 Falcon Pointe at Pinelake, on existing PAD zoning for multi-family residential located at the SEC of Ocotillo Road and Pinelake Way. (Applicant: Withey Morris PLC, Adam Baugh.)

EXTENSION OF THE TIMING CONDITION
The application requests a time extension for an approximately 13.6-acre parcel located at the southeast corner of Pinelake Way and Ocotillo Road, approximately one-half mile east of Arizona Avenue on the south side of Ocotillo Road. The subject site received zoning approval in January 2011 for a 176-unit multi-family residential townhouse development. The PAD zoning was conditioned to start construction above foundation walls within three (3) years of the ordinance effective date, March 12, 2011, requiring construction to have started by March 2014. The application requests a three-year time extension. The proposed three-year time extension would be in effect until March 12, 2017, as the time limit is calculated from the original zoning approval's expiration.

BACKGROUND
The site is vacant and bounded by Ocotillo Road to the north (an arterial street), Pinelake Way to the west (a collector street), and on the south side by the Salt River Project Schrader Receiving Station and Substation. The Paseo Consolidated Canal abuts the site's eastern side. West of Pinelake Way is property designated and zoned for business park use. North of Ocotillo Road is

the Centre Pointe Business Park currently zoned PAD for industrial I-1 uses including light industrial, self-storage warehouse and office uses. The Appleby Road Property industrial park is north of Centre Pointe. West of Centre Pointe is JKM Self-Storage for self-storage warehouse uses and next to that is South Chandler Business Center, a planned industrial park for small industrial businesses in the start-up stages such as building contractors, equipment repair, machine shops and other I-1 uses.

No changes have been made to the development plans that were approved by Council in 2011. The development's approved PDP calls for townhouses which include 4 to 6-unit buildings with four building types. Each building type offers six different types of units; four unit types are two-bedrooms and two unit types are three-bedrooms. The townhouse units range in size from approximately 1,250 to 1,935 livable square feet. All units have two-car garages. The garages are either side-by-side parking spaces or tandem parking spaces (one in front of the other). Buildings are two-and three-stories in height.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on April 3, 2014. There were no area property owners in attendance. Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6-0 with Commissioner Ryan abstaining.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval to extend the timing condition for three (3) years with all of the conditions in the original approval remaining in effect.

17. CONTINUED ZONING: Foothills Community Church

CONTINUED TO JUNE 26, 2014, Zoning DVR13-0044 Foothills Community Church, rezoning from Planned Area Development (PAD) for Industrial uses to PAD for a church and Preliminary Development Plan for building architecture and site layout on 1.9 acres located north of the NWC of Hamilton Street and Pecos Road.

The item was pulled for a full presentation at the May 7, 2014, Planning Commission hearing due to the adjacent property owner to the south expressing concerns with the location of the church buildings on the site and whether or not they could shift to the north. The concerns stem from the employer having the practice of hiring convicted sexual offenders and separation requirements between employees and youth that may attend daycare at the church. The Planning Commission recommended a continuance to the June 4, 2014, Planning Commission to allow the applicant the ability to examine the redesign of the site, moving the case to the June 26, 2014, City Council meeting.

18. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Human Relations Commission
Shen-Yi Michelle Chang

Mayor's Committee for the Aging
Prannath Tiku

Mayor's Committee for People With Disabilities
Jeff Deaver

Planning & Zoning Commission
Ryan Foley

19. AGREEMENT: Cactus Asphalt

APPROVED Agreement No. ST4-745-3280 with Cactus Asphalt for alley rehabilitation and maintenance in an amount not to exceed $624,861.80. Congestion Mitigation and Air Quality (CMAQ) funds will be used to pay for 94.3% of the total cost.

20. AGREEMENT: RideNow Powersports Chandler

APPROVED Agreement No. FD4-929-3349 with RideNow Powersports Chandler for Honda police motorcycle parts, repair and maintenance in an amount not to exceed $100,000.00.

21. CONSTRUCTION CONTRACT: SDB Contracting Services

APPROVED Construction Contract No. PD1402-401 with SDB Contracting Services for Police property and evidence backup generator in an amount not to exceed $98,704.00.

This project is to replace the existing generator with one that can properly backup all electrical and HVAC for the Police Property and Evidence building at 576 W. Pecos Road in an emergency. Currently, the existing generator only provides emergency power to the backup 911 call center and a few of the evidence lockers. The new generator will provide complete electrical power to the entire building in the event of a power loss.

22. USE PERMIT: Verizon Pho Panno

APPROVED Use Permit ZUP14-0001 Verizon Pho Panno, to install a monopalm wireless communication facility at 1420 S. Arizona Avenue, north of the NWC of Arizona Avenue and Willis Road within the San Tan Plaza shopping center. (Applicant: Steve Ciolek, Coal Creek Consulting; Owner: TSP LP II, LP.)

BACKGROUND
The request is for Use Permit approval to install a monopalm wireless communication facility at 1420 S. Arizona Avenue, north of the northwest corner of Arizona Avenue and Willis Road, within the San Tan Plaza shopping center. Kohls, Planet Fitness, BedMart, BMO Harris Bank and recently approved Winco Foods are among the businesses within the commercial center.

The proposed monopalm is 60-feet tall, measured to the top of antennas. The monopalm would be behind (north) Planet Fitness, in the service and dock area. The nearest residential developments are Hometown Sunshine Valley mobile home park, approximately 840 feet to the south and Alma School Place single-family subdivision, approximately 870 feet to the west. The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

A monopalm is a cell tower disguised as a palm tree. The monopalm would be a Date Palm design having a minimum of 65 fronds. The antennas would be painted to match the fronds. The presence of palm trees in the shopping center precludes the need for additional live trees. The equipment enclosure would be eight feet high and constructed of concrete masonry units painted to match the color of the adjacent building. A state approved pre-fabricated equipment shelter and a back-up generator would be contained within the enclosure. A solid metal gate would allow

access for routine maintenance. The site is a hard surface pavement with no existing vegetation. No additional landscape is required.

Within the immediate area, there are no other suitable alternatives for co-location of the wireless communication facility on existing poles or towers. An inventory of existing facilities, vertical towers and structures located within an approximate one mile radius was prepared by the applicant to assess alternative locations. Thirteen locations were analyzed to determine their

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, May 22, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:02 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	*Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

*Councilmember Donovan participated by phone.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION:

PLEDGE OF ALLEGIANCE: Susan Stevens-Clarke from Chandler Bahai Faith led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

A Request to Speak on item 14 had been submitted – Discussion is noted under that item.

across six parking spaces on the north end of the parking lot; however, the structure was built to cover only three parking spaces. In March 2000, a Use Permit time extension was granted for 5 years to continue the office uses.

In January 2006, the insurance office use changed to a counseling office with the business owner residing in the home. The Use Permit was extended for 3 years allowing up to 24 clients per week by appointment only with no full-time employees, only a part-time office assistant. In June 2011, the Use Permit was renewed to allow a marketing office doing outbound sales calls with a 2-year time limit expiring in 2013. The Pampered Pinkie has purchased the property and intends to operate a beauty salon.

The beauty salon has been in business in Chandler for several years; most recently operating in downtown Chandler's "Wall Street" area. The salon offers hair, face and nail services. Each service will occur in separate rooms with manicures/pedicures in the front living room and bedrooms converting to hair services and facial care. There is a small retail space for beauty related products and an employee lounge and kitchen.

The business will be open Tuesday 9 a.m. – 4 p.m., Wednesday and Thursday 9 a.m. – 7 p.m., Friday and Saturday 9 a.m. – 5 p.m., closed on Sunday and Monday. The business intends to have four employees. Currently, there is one hairstylist (the owner) and two nail technicians. There will be an aesthetician or other stylist /technician.

Parking spaces on the site's north side are appropriate to accommodate employees and customers. During the week, employee hours and appointment times are staggered while weekends tend to have similar occupancy times.

Signage is not included with this request. Any monument sign or hanging placard sign as allowed for residential conversions is required to comply with residential conversion sign standards.

DISCUSSION

This property is one of several residential home conversions existing along Chandler Boulevard as well as a couple along Dobson Road and Alma School Road. While most conversions are office use, in the past two years there was a wedding planning and boutique business and a beauty salon residential conversion. These retail-oriented businesses proved to be compatible uses with surrounding residential. Planning Staff finds the proposed beauty salon business to have a negligible effect on the neighborhood if operated as represented. The subject site has not operated as a single-family residence since 1995 and previous office businesses have included both employee and customer traffic.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on April 7, 2014. There was one neighbor in attendance in support of the request. The applicant and Planning Staff received a phone call in support. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

A resident who lives north of the site conveyed concerns with vehicles that may park along Iowa Street. She stated that on occasion, there are landscape company trucks or other vehicles parking in front of fire hydrants or too close to the Iowa Street and Chandler Boulevard

intersection causing visibility problems. These vehicles are not necessarily related to the subject site.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit shall be effective for two (2) years from the date of Council approval. Use Permit extensions, for similar or greater time periods, shall be subject to re-application to and approval by the City of Chandler.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Narrative) shall void the Use Permit and require new Use Permit application and approval by the City of Chandler.
3. The Use Permit is non-transferable to any other property.
4. Increases in on-site employment over that represented, a maximum of four (4) or the expansion of the home to provide additional tenant/business space shall require Use Permit application and approval by the City of Chandler.
5. The property shall be maintained in a clean and orderly manner.
6. Use Permit approval does not constitute Final Development Plan approval such as building plan review and permits for the residential conversion; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.

24. USE PERMIT: Quantum Helicopters

APPROVED Use Permit ZUP14-0004 Quantum Helicopters, to install a temporary modular building adjacent to Quantum's existing heliport tarmac for pilot training located at 2401 S. Heliport Way at the Chandler Municipal Airport. (Applicant: Neil Jones, Quantum Helicopters.)

BACKGROUND
Quantum Helicopters is an existing business providing helicopter flight training, maintenance, sales and charter flights. The present building was completed in August 2006, to serve their expanding customer base. The building contains office space and a hangar for maintenance and aircraft storage, but does not have sufficient space to dedicate to pilot training. The Airpark Area Plan designates the land use for this site as Aerospace Industry for Fixed Base Operations (FBO). Aviation training is identified as an appropriate use within the land use designation.

The request is for Use Permit approval to install a temporary modular building adjacent to Quantum Helicopters' existing heliport tarmac for pilot training. Quantum Helicopters requires a permanent facility to provide pilot training, but the need is immediate. Quantum Helicopters proposes a two phase development. Phase 1 is the temporary modular building. Phase 2 addresses a permanent facility to accommodate training, additional offices, hangar and service areas.

The temporary modular building will be installed on approximately 2,400 square feet of the airport property and be under a "License Agreement for Use of Airport Real Property". This is not a ground lease since the request is temporary. The Use Permit for the temporary modular building will be effective for a three-year time limit which provides adequate time for design and construction of the permanent facility. The Federal Aviation Administration (FAA) and the City of Chandler reviews and approval processes would occur during the three years.

Modular floor area is approximately 1,440 square feet consisting of an office, training space, break room and restroom. An exterior ramp will be installed to comply with the Americans with Disabilities Act (ADA). Existing parking will be used for the temporary facility. The existing parking lots contain 58 parking spaces, including two ADA parking spaces. Access to the temporary building will be through the existing building for security reasons. Some taxi-lane striping on the heliport tarmac, adjacent to the temporary modular building, will be removed in accordance with airport requirements.

The hours of operation coincide with Quantum Helicopter's present schedule of 7 a.m. to 6:30 p.m. Monday through Saturday, with occasional flight training operations at other times on a limited basis. The temporary training facility will accommodate 20 to 25 students and training staff.

DISCUSSION
Planning Staff supports the request finding the proposed temporary modular building for pilot training is a viable interim solution for a period not to exceed three years until the permanent facility is built. The Airpark Area Plan promotes this type of FBO that maximizes a property's viability and maintains compatibility with existing adjacent uses.

PUBLIC/NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notification letter was sent on April 3, 2014. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION
Upon finding consistency with the Chandler Airpark Area Plan and zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require a new Use Permit application and approval.

25. USE PERMIT: Fazio's Catering and Event Center

APPROVED Use Permit LUP14-0004 Fazio's Catering and Event Center, Series 6 Bar License, to sell and serve all types of spirituous liquor as permitted within a catering and event business located within an existing shopping center at 700 W. Warner Road, NWC of Warner Road and Evergreen Street. (Applicant: Angela Fazio.)

BACKGROUND
This new catering and event center will be located in the Suntech shopping center at the northeast corner of Alma School and Warner roads. This building was formerly occupied by Country Buffet and Yummy Buffet restaurants. The building is approximately 10,200 square feet and will host events such as weddings, quinceañeras, birthday and anniversary parties, social

events, business seminars, private dinner functions and similar occasions. Liquor and food will be served for these private, prescheduled events. Some events have music such as a DJ or live singers using a sound system for speakers and microphones inside only.

In addition to events, the facility accommodates an Italian food catering business in which food is prepared on-site for off-site catered events.

A parking area on the site's north side is in poor condition with broken asphalt, potholes, missing parking space striping and needs asphalt resurfacing. The applicant has been made aware of this site condition and need for maintenance.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on April 15, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion, modification or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 6 (Bar License) only and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

26. LIQUOR LICENSE: Fazio's Catering Hall

APPROVED a Series 6 Bar Liquor License (Chandler #152315 L6) for Angela Fazio, Agent, Fazio's Catering and Event Center LLC, dba Fazio's Catering Hall, 700 W. Warner Road. A recommendation for approval of State Liquor License #06070292 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

27. LIQUOR LICENSE: Pacific Seafood Buffet

APPROVED a Series 12 Restaurant Liquor License (Chandler #150381 L12) for Bi Darren Liu, Agent, Liu's Pacific Seafood LLC, dba Pacific Seafood Buffet, 3110 N. Arizona Avenue. A recommendation for approval of State Liquor License #12079854 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation

and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as L & Z Enterprises, Inc., dba Pacific Seafood Buffet.

28. LIQUOR LICENSE: Nasha Lounge & Bar

APPROVED a Series 12 Restaurant Liquor License (Chandler #150879 L12) for Dominic Sarkar, Agent, Nasha Lounge & Bar LLC, dba Nasha Lounge & Bar, 2051 W. Warner Road, Suite 7. A recommendation for approval of State Liquor License #12079805 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Nasha Indian Cuisine.

29. CONTINUED LIQUOR LICENSE: Zoe's Kitchen

CONTINUED TO JUNE 12, 2014, a Series 12 Liquor License for Andrea Dahlman Lewkowitz, Agent, Zoe's Arizona LLC, dba Zoe's Kitchen, 7131 W. Ray Road, Suite 7, to allow the applicant time to complete the requirements for a new Use Permit.

30. FINAL PLAT: Layton Lakes Parcel 27

APPROVED Final Plat FPT13-0016 Layton Lakes Parcel 27, for Parcel 27 of the Layton Lakes master planned community at the NEC of Gilbert and Ocotillo roads. (Applicant: Kent M. Groh, Bowman Consulting.) The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

31. FINAL PLAT: Ocotillo Village Health Club

APPROVED Final Plat FPT13-0023 Ocotillo Village Health Club, for a 5-lot commercial development including a health club located on the SWC of Alma School and Ocotillo roads. (Applicant: Jason Segneri, Survey Innovation Group, Inc.) The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

ACTION:

32. SUBMITTAL OF BALLOT ARGUMENT: Proposition 470

AUTHORIZED the submittal of a ballot argument in support of Proposition 470 (Local Alternative Expenditure Limitation/Home Rule) for inclusion in the publicity pamphlet for the August 26, 2014, election.

The Mayor read the argument that would be presented. He noted the Chamber of Commerce would be submitting an argument in support.

MAYOR TIBSHRAENY stated this ballot measure goes before the voters every four years and has been since 1980 or 1982. It has passed successfully each election and it authorizes the City Council to keep local control of its budget, rather than being dictated by state limits.

MOVED BY VICE MAYOR HEUMANN , SECONDED BY COUNCILMEMBER WENINGER, TO APPROVE AN ARGUMENT IN SUPPORT OF PROPOSITION 470 (LOCAL ALTERNATIVE

EXPENDITURE LIMITATION/HOME RULE) FOR INCLUSION IN THE PUBLICITY PAMPHLET FOR THE AUGUST 26, 2014, ELECTION.

COUNCILMEMBER WENINGER stated that not all cities are run the same. In his opinion, Chandler is financially the most well run city in the state. He noted that under the lead of the mayor, they are increasing the savings from 12% back to 15% and noted the work of council to continue making wise financial decisions.

MOTION CARRIED UNANIMOUSLY (7-0).

PUBLIC HEARING: (THURSDAY)

PH1. DOWNTOWN CHANDLER ENHANCED MUNICIPAL SERVICES DISTRICT ASSESSMENT FOR FISCAL YEAR 2014-2015

The Mayor opened the public hearing at 7:19 p.m.

MS. KIM MOYERS, Downtown Redevelopment Manager, explained the District was created in 2005 to enable property owners and merchants to better market and beautify the area in downtown Chandler. The District covers 61.4 acres and includes over 1 million s.f. of commercial space. Over the last 9 years this program has created many signature events and has completed many beautification projects.

The assessment was initiated by the property owners with 100% of the assessment proceeds going to the district. The District has a 10 year term that requires a renewal every year. City Council sets the rate, which has remained the same since 2008. Subsequent to this meeting, Council held a tentative assessment approval on April 24th, there have been the required Public Hearings, publication in the newspaper and notices of the Public Hearing were mailed to all property owners in the District with the notice they may file an objection with the City Clerk. To date, no objections have been filed. Tonight is the final Public Hearing and approval of the resolution, then on June 12th for approval of the contract for administration of the Enhanced Municipal Services District.

No comments were received from the audience.

The Mayor closed the Public Hearing at 7:24 p.m.

33. RESOLUTION NO. 4772 authorizing the 2014-2015 Annual Assessment for the Downtown Chandler Enhanced Municipal Services District.

Resolution No. 4772 approving the 2014-2015 Annual Assessment for City of Chandler, Arizona, Downtown Chandler Enhanced Municipal Services District.

FINANCIAL IMPLICATIONS:
Assessments in the District are based on three factors including assessed value (one-third of the assessment), building square footage (one-third of the assessment) and land square footage (one-third of the assessment). All properties will be assessed at the same rate with the exception of buildings along the Historic Square which will be assessed double the building square footage rate.

The total of all assessments is $243,794, of which privately owned property in the District contributes $124,990 (51.2%). In addition, the assessment for City owned property is $118,804, which is the same as the prior year's contribution and represents 48.7% of the total District operating funds for FY 2014-2015. Funds to provide for the City's contribution to the District have been requested in the Downtown Redevelopment's operating budget for 2014-2015.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER WENINGER, TO APPROVE RESOLUTION NO. 4772 AUTHORIZING THE 2014-2015 ANNUAL ASSESSMENT FOR THE DOWNTOWN CHANDLER ENHANCED MUNICIPAL SERVICES DISTRICT.

MOTION CARRIED UNANIMOUSLY (7-0).

UNSCHEDULED PUBLIC APPEARANCES:

MR. THOMAS REED, 838 E. Monte Vista, Phoenix, introduced the Cover Arizona Coalition. The coalition represents about 600 groups in Arizona in understanding the Affordable Care Act. He stated the next open enrollment will be November 15, 2014 to February 15, 2015. They intend to have a location here in Chandler where people can go and register and may have additional services for small business owners. The website is www.coveraz.org.

MR. JOHN REPAR, 1433 E Jade, Chandler, he inquired whether there were statistical numbers regarding the Home Rule expenditure limit vs. what the state imposed expenditure limit would be in case the Home Rule proposition did not pass.

Mayor Tibshraeny stated he could speak with the City Manager regarding those numbers.

CURRENT EVENTS:

A. Mayor's Announcements

MAYOR TIBSHRAENY mentioned that FedEx recently held a groundbreaking for a new 300,000 square foot building creating new jobs for Chandler. He also congratulated Chandler for being named a Playful City for the 8th consecutive year and thanked Council for their efforts in supporting recreational amenities for the City.

B. Councilmembers' Announcements

VICE MAYOR HEUMANN noted that Cox rolled out its high speed gigabit service to residents, improving internet speed in the region.

COUNCILMEMBER HARTKE invited residents to attend the Council Candidate Forum sponsored by the Chandler Chamber of Commerce on June 5 in the City Council Chambers.

Mayor Tibshraeny and Councilmembers wished everyone a safe Memorial Day, expressed their gratitude to all those that have and currently serve our country, and reminded residents to take the time to commemorate those who died in service to our nation.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:30 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: June 12, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 22nd day of May 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 16 day of June, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, June 12, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:02 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Rick Heumann	Vice-Mayor
Trinity Donovan	Councilmember*
Kevin Hartke	Councilmember
Jack Sellers	Councilmember*
Jeff Weninger	Councilmember
Nora Ellen	Councilmember – arrived after roll call

* Councilmember Donovan and Sellers participated by phone.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Michael Collier - Calvary Chapel Church of Chandler

PLEDGE OF ALLEGIANCE: Vice Mayor Heumann led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY VICE MAYOR HEUMANN, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

COUNCILMEMBER DONOVAN DELCLARED A CONFLICT OF INTEREST ON ITEM 12 AND COUNCILMEMBER ELLEN DECLARED SHE WOULD BE VOTING NO ON ITEM 4.

MOTION CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTIONS NOTED.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Study Session of May 19, 2014.
1b. Special Meeting of May 19, 2014.
1c. Regular Meeting of May 22, 2014.

2. POWER DISTRIBUTION EASEMENT: Salt River Project Ord. #4530

ADOPTED Ordinance No. 4530 granting a no-cost power distribution easement to Salt River Project (SRP) along portions of the west side of McQueen between Ocotillo to Chandler Heights roads.

3. POWER DISTRIBUTION EASEMENTS: Salt River Project Ord. #4542

ADOPTED Ordinance No. 4542 granting two no-cost power distribution easements to Salt River Project (SRP) for the new North Terminal Parking Lot located on the north side of Ryan Road at the Chandler Municipal Airport for Project AI-1301.

4. REZONING: Willis Gated Community Ord. #4545

Councilmember Ellen voted nay on this item.

ADOPTED (6-1) Ordinance No. 4545, DVR14-0004, Willis Gated Community, rezoning from agricultural (AG-1) to Planned Area Development for detached 35-lot single-family residential subdivision located east of the SEC of McQueen and Willis roads.

5. REZONING: Ray Road Apartment Homes Ord. #4533

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4533, DVR13-0050, Ray Road Apartment Homes, rezoning from Planned Industrial District with a Planned Area Development (PAD) overlay to PAD for multi-family residential with a Preliminary Development Plan for a 192-unit multi-family residential development on approximately 7 acres located east of the NEC of Arizona Avenue and Ray Road. (Applicant: Mike Badner, Palm Communities.)

BACKGROUND

The 7-acre site is located east of the northeast corner of Arizona Avenue and Ray Road and is bounded by a shopping center on the west, Union Pacific Railroad to the east and undeveloped residentially zoned land to the north. Food City, Burger King, Walgreens and other retail businesses are on the four corners of the arterial intersection. Palm Trails Condominiums multi-family residential development is on the south side of Ray Road. Industrial uses are east of the railroad tracks including Monterrey Tile and Hudson-Baylor Recycling.

In 1987, the C-3/PAD rezoning was approved for automotive related commercial services and then amended in 1988 to add industrial uses and reduce the amount of automotive services. In 1999, the site was rezoned with PDP from C-3/PAD to I-1/PAD for a three building, office and warehouse development. Zoning time extensions occurred in 2002, 2005 and 2008. The last zoning time extension expired in 2011.

ARCHITECTURE AND SITE DESIGN

The multi-family residential development includes 192 apartments with a mix of one-bedroom, two-bedroom and three-bedroom units. There are five, three-story apartment buildings designed in a contemporary style. The urban nature of the development is carried out with careful placement of horizontal and vertical bundling elements. The building elements include modern and geometric designs with parapet rooflines, rectangular and square shaped fenestration, covered patios and balconies, varied window sizes, reveal lines and color placement. One color scheme is proposed for all buildings featuring light beige with medium and dark gray and brown accents. Building materials include stucco and metal. Paint color application along with vertical and horizontal elements around windows and patios/balconies breaks up massing.

The building height is a maximum of forty feet. The clubhouse and fitness building are one-story with an approximate height of 21 feet. Garages are both attached and detached. Buildings One

and Two along Ray Road do not provide attached garages. Buildings Three through Five contain attached garages providing direct access to select units.

The site's primary entrance and exit is off of Ray Road. The entry is designed with a raised landscaped median. Visitors and potential future tenants have direct access to the leasing office and do not require entry through the security gates located on each side of the entrance. The driveway is enhanced with Date Palms, decorative pavers and an entry monument sign. A gated emergency driveway is located at the west end of the Ray Road frontage. The clubhouse/leasing building and amenities are in the middle of the site and create a focal point. Buildings are sited along a loop drive with separate drives to access garages. Pedestrian walkways are provided throughout the site, including a connection to the public sidewalk on Ray Road. Covered and uncovered parking is located around the perimeter of the site to further provide a buffer from the Union Pacific Railroad tracks and from Food City's service area and truck dock.

Parking calculations are based on unit type and require 354 parking spaces. The development provides 358 parking spaces that are open, under a carport and in individual garages. Each unit will be assigned one parking space. Several ground-level apartments have direct access to their garage. The remaining garages are available for rent at an additional fee.

A swimming pool, jacuzzi, play structure, cyber café, fitness room and covered car wash are several of the amenities. Common open space provides 26,800 square feet of area. Date Palms, Palo Verde, Sissoo and Southern Live Oak trees and a variety of shrubs and groundcover provide a complementary landscape palette. Pavers are used to enhance the main entry and highlight pedestrian walkways.

Perimeter walls of solid concrete masonry units will be constructed along the north, west and east property lines at six feet in height. The Ray Road frontage will have a combination of solid walls and view fence at six feet in height with decorative columns. An entry monument sign is integrated with the view fence at the Ray Road driveway.

WAIVERS

The urban theme of this higher density multi-family residential development is heightened through modifying the Zoning Code and Multi-Family Residential Standards. Several waivers are requested, as outlined below, and further detailed in the Development Booklet:

1. Reduce the building setback requirement of 50 feet to 20 feet along Ray Road and to exceed the 25-foot building height to 40 feet at the building setback line.
2. Reduce the landscape setback from 20 feet to 10 feet along Ray Road.
3. The required dimensions for balconies and patios of 12-foot and 8-foot diameters are not in full compliance due to the configuration of each unit's balcony or patio. However, each unit is provided with a balcony or a patio that is sized to accommodate a small table and chairs. The total private space proposed is 14,500 square feet which exceeds the requirement of 12,859 square feet.
4. Landscape islands are required after every ten parking spaces and in three instances, this will not occur as depicted on the site pan.
5. Allow additional height for the perimeter wall, decorative view fencing, and monument sign. The perimeter site walls and view fencing along the street frontage are increased to six feet where three feet is required. A combination of solid masonry, view fence and partial view fencing are proposed along the street frontage which allows visibility. The monument sign increases from six feet to almost nine feet in height. The top two feet of the sign is a stucco band designed to complement the architectural elements of the building elevations.

6. Reduce common open space from 48,000 square feet to 26,800 square feet. Site amenities above the required five are provided to compensate for the reduction and include a swimming pool, jacuzzi, cyber café, fitness center, clubhouse, two outdoor ramadas, barbeque area, resident car wash and a canopied children's play structure.
7. Allow parking to encroach into the 20-foot parking setback by four feet. The parking spaces near the west side of the site at the emergency gate encroach into the setback. Adequate backup space is provided for vehicles at this location.

Planning Staff supports the requested waivers due to the location of the site within a Revitalization/Infill Growth Area, the quality of the project including urban architecture, amenities and site design that projects an urban residential environment.

GENERAL PLAN CONFORMANCE

The subject site is designated as a Revitalization/Infill Growth Area in the Residential Land Use Element of the General Plan. The General Plan states urban residential densities exceeding 18 dwelling units per acre can be considered public use. The proposed density of 17.42 dwelling units per acre establishes a high density urban residential development to further support existing and future commercial, retail and employment uses along Arizona Avenue and the surrounding area.

Arizona Avenue is identified as a transit corridor for light-rail or other higher capacity transit mode. Currently, Valley Metro provides a bus service route along the Arizona Avenue corridor. Designated bus stops, with shelters, exist at the northeast and southwest corners of Ray Road and Arizona Avenue. These bus stops are within a reasonable walking distance of the subject site.

Planning Staff supports the request for a 192-unit, multi-family development and associated waivers from the Zoning Code. The density increase above 18 dwelling units per acre to 27.42, furthers the goals of the General Plan and the land use designation. Building architecture and site layout complement the area with a quality residential development to further create sustainability of existing businesses and transit available in the area.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on March 11, 2014. There was one citizen in attendance inquiring about school bus stops for pick-up and drop-off on Ray Road. Planning Staff has received one phone call and one letter. The phone call was from the same resident who attended the neighborhood meeting. There has been no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4-0 with Commissioners Donaldson and Pridemore absent and Commissioner Ryan abstaining.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Ray Road Apartment Homes", kept on file in the City of Chandler Planning Services Division, in File No. DVR13-0050, except as modified by condition herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. The applicant shall work with Planning Staff to incorporate additional architectural elements, building materials, and/or paint colors to further break up flat wall planes.
7. The applicant shall work with Planning Staff to incorporate additional window treatments.
8. The applicant shall work with Planning Staff to add plant materials within the curbed islands along the driveway between Buildings 4 and 5.

6. DEDICATION IN FEE: NEC of McQueen Road and Via De Palmas Road Ord. #4543

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4543 authorizing the dedication in fee of a portion of City-owned property located at the NEC of McQueen Road and Via De Palmas Road for public roadway purposes.

BACKGROUND
The City of Chandler owns property located at the northeast corner of McQueen Road and Via De Palmas Road that is currently used for a fire station. In order to accommodate the construction of McQueen Road from Ocotillo Road to Riggs Road, a portion of the property is required for the widening of McQueen Road at this location. It is necessary for the City to dedicate a twenty-two (22) foot wide portion of its property, along with a sight visibility triangle at the corner of McQueen Road and Via De Palmas Road, to the public for roadway purposes.

By way of a separate instrument in the form of a deed, the City will grant to the public, in trust, the required roadway. The document will be in a form approved by the City Attorney

7. CITY CODE AMENDMENT: Chapter 27 Ord. #4544

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4544 amending Chapter 27, Sections 27-1 through 27-8 of the Chandler City Code relating to the name of the Chandler Fire Department and Department Responsibilities.

BACKGROUND
On June 22, 1937, the first meeting of the Chandler Fire Department was held. Since that time, the Department has been moving forward. The Department was first staffed by all volunteers. In 1953, the first paid Chief was hired and the Department ran fire and first aid calls.
In the early 1970's, the Department became fully staffed and in 1975 added advanced emergency medical care by training three firefighters as paramedics. Chandler was one of the first departments in the state and the first in the east valley to take advantage of the new State

Paramedic Certification Program. From that time forward, paramedicine has become an integral part of the Department. The Department has come a long way since 1937 and now delivers advanced life support to the citizens of Chandler from 12 front line apparatus and 136 paramedics. The Department is equipped and trained to respond to health emergencies, provide preventive health education and participate in community health clinics. As the demand for services has evolved, the name "Fire" by itself no longer fully describes the services provided. Adoption of Ordinance No. 4544 changes the Department's name to the Chandler Fire, Health and Medical Department to better reflect the services provided.

FINANCIAL IMPLICATIONS
There are no significant financial implications. The Department currently has annual uniform funds; stationary/brochures will be updated as needed and vehicle lettering is estimated at under $10,000. Existing automotive line items will be used for the lettering.

8. INTERGOVERNMENTAL AGREEMENT: ADOT Res. #4710

ADOPTED Resolution No. 4710 authorizing an Intergovernmental Agreement (IGA) with the State of Arizona Department of Transportation (ADOT) to be eligible for federal funds to develop the Crash XML interface for the Chandler Police Department (CPD) Records Management System (RMS) and ensure the Crash XML output generated by the CPD conforms to the ADOT Crash XML Schema.

BACKGROUND/DISCUSSION
In accordance with the Moving Ahead for Progress in the 21st Centruy Act (MAP-21), Highway Safety Improvement Program funds have been approved by the Federal Highway Administration for the statewide crash data improvement effort for Arizona. This effort will consist of the installation of the XML Schema to electronically send crash data from the Chandler Police Department's existing Records Management System to ADOT's Accident Location, Identification and Surveillance System using the Arizona Criminal Justice Information System. The state will acquire federal funds for this effort. This funding does not allow for the purchasing of any hardware.

ADOT will reimburse the CPD for eligible costs incurred, up to and not to exceed $50,000, within thirty (30) days of receipt of proper documentation of payment for services and/or equipment.

The benefit to ADOT is that the export of information sent from accidents will be sent to ADOT in the desired XML format.

9. INTERGOVERNMENTAL AGREEMENT: City of Phoenix Res. #4741

ADOPTED Resolution No. 4741 authorizing an Intergovernmental Agreement (IGA) with the City of Phoenix to accept Federal Transit Administration (FTA) Grant No. AZ-90-S124, in an amount not to exceed $53,114.00, for Route 56 (Priest Drive/56th Street) extension and bus shelter procurement and installation in the City of Chandler.

BACKGROUND/DISCUSSION
In 2013, Chandler applied for and was awarded a Federal Transit Administration grant to fund the purchase and installation of bus shelters at four bus stops on Route 56 on Priest Drive/56th Street and Ray Road in Chandler. The federal grant awarded is in the amount of $53,114.00 with a 20% City match of $13,278.00 for a total project cost of $66,392.00. The City will have 30 months to

complete this project. There will be no maintenance costs as the City has an advertising agreement that provides for the maintenance of bus shelters citywide at no cost to the City.

10. INTERGOVERNMENTAL AGREEMENT: Maricopa County Res. #4755

ADOPTED Resolution No. 4755 authorizing an Intergovernmental Agreement (IGA) with Maricopa County to facilitate wireless communication facility co-location for public safety and related government purposes at a wireless support tower located at 911 S. Hamilton Street.

BACKGROUND/DISCUSSION
Since 1998, Chandler and Maricopa County have co-located their respective public safety wireless communication facilities at the site of what has been Fire Station No. 1 (now No. 281) at 911 S. Hamilton Street. This involved the shared use of the wireless support tower structure at the site and some building space for equipment. When the City began participation in the multi-city Regional Wireless Cooperative, the original tower was replaced, but co-location with the County continued.

The County now needs to replace its aging wireless antennae and equipment with upgrades as part of the enhancement of the County's public safety, wireless communication infrastructure. Once the new items are in place, the County will remove the outdated items. The County's facility will not interfere with the City's facility or impede the use of the site. This is not an activity that involves substantial numbers of personnel.

The benefit to the County, to persons that live in the unincorporated areas just outside Chandler's City limits, and to Chandler citizens who live at or near City boundaries, is more effective communication coverage and better public safety services. The IGA itself is very similar to the previous 1998 agreement. The County pays a nominal fee and its share of electrical power needed for the operation of its facility at the site.

11. PROJECT AGREEMENT: Maricopa Association of Governments Res. #4760

ADOPTED (6-0) Resolution No. 4760 authorizing a Project Agreement with the Maricopa Association of Governments (MAG) for regional reimbursement for design, right-of-way and construction for Queen Creek Road (McQueen Road to Gilbert Road), in the amount of $7,447,603.60.

BACKGROUND/DISCUSSION
This Project Agreement is for reimbursement of $7,447,603.60 of Arterial Life Cycle Program funds for improvements to Queen Creek Road (McQueen Road to Gilbert Road) in Fiscal Year 2013 ($1,514,800.00), Fiscal Year 2019 ($786,630.67), Fiscal Year 2020 ($2,282,261.00) and Fiscal Year 2021 ($2,863,911.93). Reimbursements will be adjusted annually for inflation in accordance with MAG policies.

This project will construct Queen Creek Road from McQueen Road to Gilbert Road as a six-lane arterial roadway with curb and gutter, sidewalks, streetlights, traffic signals, landscaping and storm drainage. Queen Creek Road will have bus service as part of the transit elements of the Regional Transportation Plan. This project includes bus pullouts at the intersections and bus stops at the ¼ mile. The Queen Creek Road improvements include bike lanes in each direction. Sidewalks and ramps will be ADA compliant.

These proposed improvements are based on the City's Transportation Master Plan Update (April 2010) for a 20-year design life.

TRANSPORTATION COMMISSION RECOMMENDATION
The Transportation Commission reviewed the Project Agreement on May 15, 2014, and recommended approval.

12. ALLOCATION: FY 2014-15 General Fund Dollars Res. #4771

Councilmember Donovan declared a conflict of interest on this item.

ADOPTED Resolution No. 4771 authorizing the allocation of FY 2014-2015 General Fund Dollars in the amount of $1,120,392.00 in accordance with the recommendations of the Chandler Housing and Human Services Commission (HHSC) and Staff, and authorizing the City Manager or his designee to enter into agreements and suspend or terminate as needed pursuant to this resolution.

BACKGROUND
The City of Chandler annually allocates General Fund dollars from the Social Services Fund (SSF) and the Youth Enhancement Program (YEP). In addition, funds from the utility bill donations are allocated from the Acts of Kindness (A-OK) program. These and Veterans Transportation Services funds are granted to qualifying non-profit agencies and programs for the purpose of proving human services to Chandler residents.

Included in the FY 2014-2015 available funding is $5,000 of YEP carry forward from the La Mesita Family Shelter Childcare Center. Construction on the new childcare center was delayed and the funds, which were allocated for operation of the center, were not utilized.

For FY 2014-2015, allocations are divided into four funding population groups. Funding from the General Fund is used for three of these groups: Families in Crisis, Special Populations and Youth. The fourth group is comprised of CDBG and HOME requests, which have already been approved.

New for FY 2014-2015, is the inclusion of a Collaborative Partner Grant opportunity. Collaborative programs, where multiple agencies bring forward resources and provide services, were able to apply for additional bonus points if they met the criteria and completed a supplemental application. Three programs applied for the Collaborative Partner Grant, yet only two were determined to have met the criteria.

The City received 60 applications totaling $1,951,427.00 for the FY 2014-2015 General Fund Allocation. Each application received through the Human Services Funding Allocation Process was assigned to a subcommittee review team of the HHSC. Each team met at least twice to review and discuss the applications. Comments were captured during these review sessions that will be sent to the agencies at a later date along with the application scores.

Based on the above stated funding amounts for FY 2014-2015 Human Services General Funding, initial allocations have been made for each funding population and source. On April 30, the initial funding recommendations from HHSC were sent to the non-profit organizations that applied for funding. These recommendations were then finalized by the HHSC on May 14, 2014, following a public hearing.

A list of recommendations is available for the general fund allocations and a brief description of the program for which funding was recommended. The HHSC and Staff believe these funding recommendations will grant financial support to organizations that provide valuable services to Chandler residents and reflect a response to the current needs of the community.

FINANCIAL IMPLICATIONS
All costs associated with the General Fund Human Services allocations will be paid by the City of Chandler General Funds as part of the FY 2014-2015 Operating Budget and the City Manager or his designee is authorized to enter into the agreements pursuant to this resolution

13. ENHANCED MUNICIPAL SERVICES DISTRICT AGREEMENT Res. #4775

ADOPTED Resolution No. 4775 authorizing the Enhanced Municipal Services District (EMSD) Agreement for FY 2014-2015 with the Downtown Chandler Community Partnership (DCCP) and the City's voluntary contribution to the EMSD in the amount of $83,804.00 ($118,804.00 minus $35,000.00 for Stage Contribution).

BACKGROUND
At the City Council meetings on April 24, 2014, and May 22, 2014, the Mayor and City Council took all actions necessary to renew the Downtown Chandler Enhanced Municipal Services District. Currently, Staff is requesting approval of an Enhanced Municipal Services District Agreement with the Downtown Chandler Community Partnership (DCCP). Through this action, the DCCP is designated as the entity that will manage and operate programs in the District.

The primary functions of representing District rate payers, developing the annual District budget and work plan, and monitoring the performance and provision of District services, have been retained. The working committees continue and the agreement outlines the general responsibilities of each committee.

This agreement also details the City's participation in the District. From a financial perspective, the $118,804.00 represents the amount the City voluntarily contributes to the District. The contract also identifies how payments will be made from the City to the DCCP, both for City funds and for funds obtained through the assessment of private property owners through the Maricopa County Assessor's Office. Finally, the agreement outlines the baseline of City provided services that will be delivered during the term of the agreement.

The DCCP participated in the development of the agreement, including providing a budget and developing a work plan for the coming year. The DCCP Executive Board has officially approved the content of this agreement and looks forward to continuing as the administrator of the District.

Staff will proceed to process a check to the DCCP in order to provide them with the first $41,902.00 City voluntary payment prior to July 15, 2014, as specified by the contract.

FINANCIAL IMPLICATIONS
Assessments for privately owned property in the District total $124,990.00. Staff has forwarded the Assessment Roll to Maricopa County for inclusion in the fall property tax bills. The City's voluntary contribution of $83,804.00 plus $35,000.00 for Stage Construction Contribution have been included in the Downtown Redevelopment budget for FY 2014-2015 The total amount of the District budget for FY 2014-2015 is $243,794.00.

14. SETTLEMENT: Chandler Heights McQueen Lender

APPROVED settlement with the landowner in a condemnation entitled *City of Chandler v. Chandler Heights McQueen Lender, LLC,* CV2014-005431, in the amount of $240,000.00.

BACKGROUND/DISCUSSION
This condemnation action was filed to acquire approximately 31,471 square feet of land required for roadway for the McQueen Road (Ocotillo Road to Riggs Road) Improvement Project ST-0810. In addition, 22,310 square feet of land is needed for a temporary drainage easement and 1,307 square feet total for two temporary construction easements. The City made an offer of $213,500.00 based upon its appraisal of $250,000.00 per acre to purchase the required property rights.

The property owner rejected the offer and countered back at $295,000.00 per acre or $251,800.00 total for the purchase of the property rights. In support of their opinion of value, the property owner provided additional information regarding offers to purchase their land from two different developers for a price of $305,000.00 to $316,000.00 per acre, as well as other supporting information. Upon further review of this information by Staff and the City's appraiser, a settlement in the amount of $240,000.00 was reached with the property owner subject to Council approval. This settlement represents an increase of $26,500.00 (12%) over the original offer price of $213,500.00. As part of the settlement, it was agreed that the property owner transfer title to their underlying fee interest in McQueen Road and Chandler Heights Road to the City. This additional land contains approximately 86,368 square feet.

Staff recommends the settlement with Chandler Heights McQueen Lender, LLC, as a fair and reasonable compromise and is in the best interest of the public.

FINANCIAL IMPLICATIONS
Funding for this land acquisition will come from money set aside in the project budget for acquisition of real estate required for the McQueen Road (Ocotillo Road to Riggs Road) Improvement Project ST-0810.

15. SETTLEMENT: Scotland Yard Properties, LLC

APPROVED a settlement with the landowner in a condemnation entitled *City of Chandler v. Scotland Yard Properties, LLC,* CV2014-000177, in the amount of $10,000.00.

BACKGROUND/DISCUSSION
This condemnation action was filed to acquire approximately 160 square feet of land required for the Ocotillo Road (Arizona Avenue to McQueen Road) Improvement Project ST-0808. In addition, 4,204 square feet of land was needed for a temporary drainage easement. The City made an offer of $3,733.00 based upon its appraisal of $3.00 per square foot to purchase the required property rights.

The property owner rejected the offer and did not formally counter back at any amount. Staff was required to refer the file for condemnation in order to meet project deadlines. The City obtained immediate possession February 10, 2014, for the appraised value of $3,733.00. Prior to City Council proceeding to further litigation, an offer for $10,000.00 was made in hopes of settling the case and avoid further condemnation costs, which would far exceed the additional $6,267.00 amount required to settle the case. The property owner has accepted this offer. As part of the settlement, the property owner will be transferring title to their underlying fee interest in Ocotillo

Road that is contiguous with their property. The additional land contains approximately 13, 249 square feet.

Staff recommends the settlement with Scotland Yard Properties, LLC, as a fair and reasonable compromise and is in the best interest of the public.

FINANCIAL IMPLICATIONS
Funding for this land acquisition will come from money set aside in the project budget for acquisition of real estate required for Ocotillo Road (Arizona Avenue to McQueen Road) Improvement Project ST-0808.

16. MEMORANDUM OF UNDERSTANDING: IAFF Local 493

APPROVED a Memorandum of Understanding for two years with the United Phoenix Firefighters Association IAFF Local 493 Chandler Chapter, for July 2, 2014, through June 30, 2016.

BACKGROUND
There were two primary issues discussed between the parties; methodology used to determine the fourth position placement and the City's desire to have the same formula and language as the other two public safety contracts, and; IAFF's desire to have language in the contract that would allow them to opt out of the City benefit plans if they chose to do so.

Both parties agreed to include the City's total cash compensation methodology language in FY 2014/15 renaming it "market comparison". To off-set the impact of the inclusion of the fourth position methodology in FY 2014/15, IAFF members will receive a 1.50% market adjustment in FY 2014/15 and a minimum of 1.50% market adjustment in FY 2015/16. For FY 2015/16, the annual survey will be completed in August, 2015, and if there is a need for additional monies to bring IAFF into fourth position above the 1.50%, the City will do so. This is not anticipated to occur with the FY 2014/15 upfront increase. Coupled with this agreement, the City will also fund a 5% merit increase for all eligible members for both FY 2014/15 and FY 2015/16.

The City and IAFF agreed to include language to facilitate Labor-Management meetings to discuss the possibility of IAFF opting out of the City's benefit (medical, dental and vision) plans. IAFF has expressed interest in exploring this possibility and the City is interested in fully vetting the process to ensure the well-being of the City-wide benefit plans. Staff feels the language included and the meetings will facilitate this; meetings will begin at the request of IAFF. As with other MOU's, language was added in the health insurance section to allow for more flexibility in the premium/contribution structure in anticipation of the City's high deductible health plan implementation in 2015.

In FY 2014/15, holiday hours paid to eligible members will be paid at the member's base rate of pay and will not include all assignment pays the individual member receives as part of the payment calculation.

IAFF has agreed to transition their current release hour process to an association vacation bank. The City will deposit 1,000 hours, a reduction of 500, in FY 2014/15 into the existing bank. All unused hours from the City deposit will expire on June 30, 2015, and no future deposits will be made. This is consistent with the transition process used with three other employee groups. IAFF will begin a vacation donation program on July 1, 2014, with all members contributing 2.6 hours of vacation to the bank. These hours will not expire.

The City agreed to increase each vacation tier for IAFF members by .2 in FY 2014/15 and .8 in FY 2015/16.

The remaining changes are not substantive and are housekeeping in nature

This agreement contains no reopener clauses unless it is mutually agreed to reopen the Benefits Section to discuss inclusion of language regarding IAFF's ability to opt out of the City benefit plans.

17. MEMORANDUM OF UNDERSTANDING AMENDMENT: CLEA

APPROVED a Memorandum of Understanding amendment with the Chandler Law Enforcement Association (CLEA) for FY 2014/15 – FY 2015/16.

BACKGROUND
The City and CLEA commenced negotiations in late February to discuss the wage reopener, release time, vacation and language changes for the upcoming health plan additions for the second year of the two-year Memorandum of Understanding (MOU). After six negotiation meetings, the City and CLEA were able to reach a complete agreement. The agreement includes an extension of the current MOU by one additional year which will now expire on June 30, 2016.

The City agreed to fund a merit increase of 5% for both FY 2014/15 and FY 2015/16 for all eligible unit members. In FY 2014/15, the City agreed to increase the swing-shift shift differential to fifty cents ($.50) and the grave-yard shift differential to seventy cents ($.70). This increase will provide parity to all groups receiving shift differential.

In FY 2015/16, the City agreed to increase the guarantee of overtime payment for court appearances outside the Officers' normal work hours to three (3) hours or the actual number of hours worked, whichever is greater. This agreement will ensure both CLEA and CLASA are receiving the same benefit for court appearances. Language to provide for a re-open option in FY 2015/16 regarding the total annual cash compensation survey adjustment was agreed to with criteria. This is the only section with a re-open provision and may or may not need to be exercised.

Vacation leave will be increased per pay period in FY 2014/15 in each tier except the less than 5-year tier. CLEA was able to choose where the increase was applied in tiers with some parameters. In FY 2015/16, all vacation accrual tiers that do not already match the current general vacation accrual schedule, will be increased to do so. The general vacation schedule is currently in place for all exempt, non-sworn non-exempt, SEIU and ACE employees. This agreement, as well as the CLASA agreement, will bring each group equivalent.

Housekeeping changes were made to language in the health insurance section to allow for more flexibility in the premium/contribution structure in anticipation of the high deductible health plan implementation in 2015. Additional language was added to the release hours section to provide the CLEA Executive Board more flexibility in changing their vacation donation amounts that fund the release hours bank.

As noted, the City and CLEA mutually agreed to extend the term of the current MOU by one year. The new agreement will expire on June 30, 2016.

18. MEMORANDUM OF UNDERSTANDING AMENDMENT: CLASA

APPROVED a Memorandum of Understanding Amendment with the Police Sergeants Bargaining Unit (CLASA) for FY 2014/15 - FY 2015/16.

BACKGROUND
The City and CLASA commenced negotiations in late February to discuss the wage reopener, vacation and language changes for the upcoming health plan additions for the second year of the two-year Memorandum of Understanding (MOU). After five negotiation meetings, the City and CLASA were able to reach a complete agreement. The agreement includes an extension of the current MOU by one additional year which will now expire on June 30, 2016.

The City agreed to fund a merit increase of 5% for both FY 2014/15 and FY 2015/16 for all eligible Sergeants. In FY 2015/16, the City agreed to increase the guarantee of overtime payment for court appearances outside the Sergeants' normal work hours to three (3) hours or the actual number of hours worked, whichever is greater. This agreement will ensure both CLEA and CLASA are receiving the same benefit for court appearances.

Vacation leave will be increased per pay period in FY 2014/15 by .8 for those Sergeants in the 15->20 year accrual tier and by .2 for those Sergeants in the 20+ years accrual tier. In FY 2015/16, all vacation accrual tiers that do not already match the current general vacation accrual schedule will be increased to do so. The general vacation schedule is in place for all exempt, non-sworn non-exempt, SEIU and ACE employees. This agreement, as well as the CLEA agreement, will bring each group equivalent.

Housekeeping changes were made to the language in the health insurance section to allow for more flexibility in the premium/contribution structure in anticipation of the high deductible health plan implementation in 2015.

As noted, the City and CLASA mutually agreed to extend the term of the current MOU by one year. The new agreement will expire on June 30, 2016.

19. MEMORANDUM OF UNDERSTANDING AMENDMENT: ACE

APPROVED the Memorandum of Understanding Amendment with the Association of Chandler Employees (ACE) for FY 2014/15.

BACKGROUND
The City and ACE commenced negotiations in late February to discuss the wage reopener, tuition and language changes for the upcoming health plan additions for the second year of the two-year Memorandum of Understanding (MOU). After five negotiation meetings, the City and ACE were able to reach a complete agreement.

ACE utilized the amount of money offered by the City to fund up to a 1.15% merit for all merit eligible represented employees, as well as a 2.25% across the board wage and salary range adjustment for all ACE-represented employees for FY 2014/15. The City agreed to additional language in the overtime section regarding advanced notification, when possible, of schedule changes for employees required to attend mandatory training or meetings.

Housekeeping changes were made to the language in the tuition reimbursement section based on the City-wide policy changing effective July 1, 2014. Additional language in the health insurance

section was included to allow for more flexibility in the premium/contribution structure in anticipation of the high deductible health plan implementation in 2015.

20. MEMORANDUM OF UNDERSTANDING: SEIU

APPROVED a Memorandum of Understanding Amendment with the Service Employees International Union Local 48 (SEIU) for FY 2014/15.

BACKGROUND
The City and SEIU commenced negotiations in late February to discuss the wage reopener, tuition and language changes for the upcoming health plan additions for the second year of the two-year Memorandum of Understanding (MOU). After four negotiation meetings, the City and SEIU were able to reach a complete agreement.

SEIU utilized the amount of money offered by the City to fund up to a 3.75% merit for all merit eligible represented employees, as well as a 1.33% across the board wage and salary range adjustment for all SEIU represented employees for FY 2014/15. The City agreed to the removal of a 10-year service requirement for those employees participating in the deferred compensation program who are contributing $15.00 or more per pay period. The removal of the language allows any SEIU-represented employee making this contribution to receive a match of $15.00 by the City.

Housekeeping changes were made to the language in the tuition reimbursement section based on the City-wide policy changing effective July 1, 2014. Additional language in the health insurance section was included to allow for more flexibility in the premium/contribution structure in anticipation of the high deductible health plan implementation in 2015.

21. PROFESSIONAL SERVICES AGREEMENT: Jeff Martin Consulting, LLC

APPROVED a professional services agreement with Jeff Martin Consulting, L.L.C., for Transportation Consulting services in an amount not to exceed $45,000.00 for the period June 16, 2014 through June 15, 2015.

The City first entered into an agreement with the Consultant in 2009 and has continued each year for the purpose of representing the City of Chandler in various regional transportation issues. These issues included the Valley Metro Transit Life Cycle Program (TLCP), reviewing and coordinating the City's Five (5) Year Transit Operating and Capital Budget with the TLCP, representing the City on various transit committees at Valley Metro and the Maricopa Association of Governments (MAG), intergovernmental coordination on transit issues and other transit functions as assigned by the Transportation & Development Director. The consultant will assist and attend meetings for the City regarding the following projects:

- Facilitating further study of the Arizona Avenue corridor as a high capacity transit corridor
- Valley Metro Transit Standards and Performance Measures technical advisory working group
- Southeast Valley Transit System Study project advisory committee
- Other transit issues under consideration at Valley Metro, METRO and MAG, including collaborating with other cities in the MAG region on such issues

22. COST SHARING AGREEMENT: Downtown Chandler Community Partnership

APPROVED a cost sharing agreement with the downtown Chandler Community Partnership (DCCP) relating to the construction and management of an outdoor stage on Commonwealth Street east of Arizona Place; authorized the City Manager, or his designee, to sign the agreement and related documents as approved by the City Attorney; and authorized a contribution amount not to exceed $250,000.00.

BACKGROUND

Staff began discussions with the DCCP a number of years ago relating to the construction of a stage in Downtown that could be a signature draw to bring more events and traffic into the area. As the discussions progressed, it was decided that a number of events should take place to determine the best location for the potential stage including stakeholder meetings and a design charrette with both the City and the DCCP. J2 Engineering & Environmental Design, the firm that designed the Arizona Avenue improvements, offered to create conceptual designs and presentation pro bono for the DCCP. Once these were done, the DCCP hosted three stakeholder meetings to present the concept locations for potential stage sites. These stakeholder meetings were noticed to DCCP membership and Downtown stakeholders and were held on April 2, April 11 and April 16, 2013, to ensure that ample opportunity was given for input. Further, the DCCP created a web site that allowed for those unable to attend a public meeting to view the presentation at their convenience. At the end of this process, it was determined that Zone "E", located on the north side of Commonwealth Street east of Arizona Place, was the best location for a stage of the magnitude being discussed. The site provides for easy access, significant parking on the east side of Arizona Avenue, and provides for a space large enough for 20,000 plus attended events. Further, the surrounding grass area creates a cohesive area for attendees to view the performances. Staff at Chandler Center for the Arts provided input on the production needs for the stage, including the sound requirements, to make certain that the venue would be adequate for national performers.

The stage will be constructed, scheduled and managed by the City and events will be required to make application to the City's Special Events Committee per the agreement, to ensure that all aspects of the event are covered. Except for City events and DCCP produced events, a rental rate as adopted by City Council will be charged for the use of the Stage area. This fee will become part of the Citywide Fee Schedule beginning in FY 2015/16.

Design of the Stage will take place in partnership with the DCCP. The City will contribute a not to exceed amount of $250,000.00. The DCCP will contribute up to $100,000.00 of the total design and construction costs, with a lump sum of $35,000.00 to be paid in FY 2013/14 and an additional lump sum of $35,000.00 will be withheld from the City's $118,804.00 voluntary contribution to the Enhanced Municipal Services District in July 2014. The balance of the DCCP's contribution will be paid back to the City over a five-year period through future City voluntary contributions to the District. If the total project costs are in excess of the amounts identified in the agreement, the City and the DCCP will work together to review the overall project to identify cost savings to complete the project within the identified budget. If cost savings cannot be reached, the DCCP will pay 100% of the costs over the estimated cost, with the payback time to the City to be negotiated, but not to exceed an additional five years. Further, either party can cancel the agreement if the construction bid costs from the design come back higher than the estimated cost with the design costs split 75% to the City and 25% to the DCCP.

In return for the DCCP investment, the City will pay 25% of all Stage rental fees back to the DCCP for a period of 10 years. This revenue stream will assist the DCCP in marketing the Stage and bringing in new festivals.

23. PUBLIC ENTITY INSURANCE AND SERVICES RENEWAL

AUTHORIZED the renewal of public entity insurance and services through Arthur J. Gallagher for FY 2014/15 for protection against financial loss in an amount not to exceed $972,010.00, utilizing service providers: Staff Indemnity & Liability, Great American Assurance Co., Arch Insurance Co., Travelers Indemnity, Ace American Insurance Co., National Union Fire Insurance Co. of Pittsburgh, PA, ACE Property & Casualty, and Ace Group – Illinois Union Insurance Co.

The City self-insures and carries excess coverage in the areas and at the levels indicated below. The total premium cost of recommended coverage through commercial carriers for FY 2014/15 is $972,010.00 compared to FY 2013/14 at $901,641.00. The requested dollar amount for 2014/15 does not include Excess Workers' Compensation coverage. Workers' Compensation insurance renewal will come before the Council at the June 26, 2014, meeting.

Excess Liability coverage is carried at three levels:
$10 million excess of $2 million Self-Insured Retention – Insurance is carried through Starr Indemnity & Liability. Premium for 2014/15 is $326,298; premium last fiscal year was $309,163.
$20 million excess of $12 million - Insurance is through Great American Assurance Co. Premium for 2014/15 is $107,000; premium for last fiscal year was $105,525.
$20 million excess of $32 million – Insurance is through Arch Insurance Co. Premium for 2014/15 is $65,768; premium for last fiscal year was $64,573.

Property Insurance is carried through Travelers Indemnity which provides broad coverage for buildings, contents, equipment, vehicles (valued in excess of $50,000), as well as boilers and machinery. This policy has various deductibles including $50,000 per occurrence for most losses, $100,000 for earth movement, and $50,000 for flood. High value vehicles have a $25,000 deductible. Premium for 2014/15 is $363,253; premium for last fiscal year was $351,636.

Storage Tank Liability Insurance is carried through Ace American Insurance Co. Policy limits remain at $1,000,000 per tank with a $25,000 per incident deductible. Coverage complies with the financial responsibility mandates of the Environmental Protection Agency.
Premium for 2014/15 is $25,161; premium for last fiscal year was $24,580.

Crime Insurance is carried through National Union Fire Insurance Co of Pittsburgh, PA. Coverage includes state required bonds for Management Services Director and Accounting Manager. Further, this policy provides coverage for members of the City's Boards and Commissions.
Premium for 2014/15 is $5,656; premium for last fiscal year was $5,656.

Airport Liability Insurance is carried through ACE Property & Casualty. Airport Owners and Operators Liability policy provides $50,000,000 in coverage per occurrence.
Premium for 2014/15 is $11,471; premium for last fiscal year was $11,471.

Privacy/Security Liability Insurance, also known as Cyber Insurance, is carried through Ace Group – Illinois Union Insurance Co. Privacy and Network Liability policy provides $5,000,000 aggregate for Privacy, Network Security, Internet Media and Network Extortion coverage plus $2,500,000 in breach fund.
Premium for 2014/15 is $67,402.53; premium for last fiscal year was $29,036.76 but was only for $1,000,000 coverage.

24. AGREEMENT AMENDMENT: Buck Consultants

APPROVED Agreement Amendment No. 4 with Buck Consultants for Human Resources and Employee Benefits Consulting Services in an amount not to exceed $126,000.00. This is the fourth and final renewal option.

Buck Consultants began providing ongoing professional employee benefit consulting services in 2010. They assist the City with administrative vendor management of all group and voluntary insurance plans including Dental, Vision, Life, Flexible Spending, and Employee Assistance Programs offered to employees and their dependents for both self-funded and fully insured plans respectively.

Buck's plan management process enables the City to define and continuously validate long-term benefit/financial strategies that align its needs and those of the participants as demonstrated by the City's current health and benefit plan designs and wellness initiative. In addition, they will provide actuarial services to include claims/utilization analysis and review and overall plan performance. Most significantly, their compliance division assists the City with the employer shared responsibility requirements associated with the Patient Affordable Care Act.

Arizona State Statute §11-981.B3 requires the City to conduct an annual financial audit of the Chandler Health Care Benefits Trust Fund. Buck Consultants are certified as Fellowship Society of Actuaries, which financially guarantees their financial attestations and have provided assistance during the audit conducted by the City's outside auditing firm.

25. AGREEMENT: Greater Phoenix Economic Council

APPROVED an agreement with the Greater Phoenix Economic Council (GPEC) for fiscal year 2013/14 for regional economic development services in an amount not to exceed $108,253.00.

BACKGROUND

The City of Chandler and other communities in Maricopa County, contract with GPEC on an annual basis to provide regional economic development services. The City of Chandler and other major cities have contracted with GPEC since 1989 to conduct marketing and business lead generation activities for Greater Phoenix.

City Economic Development Staff participates with GPEC in regional economic development activities, including formulating GPEC's Action Plan for Fiscal Year 2014/15. Staff participates on the Economic Development Director's Team (EDDT), made up of economic development professionals from each member organization (23 communities, Maricopa County, Arizona State University, Maricopa Community College District, Arizona Department of Commerce, Arizona Public Service and Salt River Project).

The EDDT works with GPEC to market and attract new quality employers to the market and to develop and implement competitive strategies for the region. With input from the EDDT, GPEC's performance measures have evolved over the past several years to focus less on quantity and more on quality indicators, such as targeting companies that create higher average salary jobs and higher capital investment.

As part of the City's contract with GPEC, Chandler receives two GPEC Board of Director's appointments (Mayor Jay Tibshraeny and Jason Bagley with Intel).

The annual contract amount for GPEC is determined by 2013 Office of Employment and Population Statistics, Arizona Department of Administration population estimate multiplied by a

fixed amount per capita of approximately $.4397 per capita. Chandler's proportionate share, based on the 2013 population estimate, is $108,253.

GPEC and the City of Chandler have partnered on two locate projects this fiscal year (Federal Express and the expansion of Arizona Nutritional Supplements), bringing the total located projects to 27 since 2002. The Community Benefits Report shows a Return on Investment 5-year trend of $64 of direct revenue for every $1 invested by Chandler in GPEC.

The proposed Fiscal Year 2014/15 contract has identifiable and measurable performance targets for GPEC, with monthly and quarterly reporting mechanisms built in.

Staff has reviewed the proposed contract and recommends continued support of GPEC's regional economic development efforts.

26. AGREEMENT AMENDMENT: JC Printing

APPROVED Agreement No. CP1-966-2986, Amendment No. 3, with JC Printing for overflow photo copying and printing services in an amount not to exceed $95,000.00. This is the third of four optional extensions.

27. INTERGOVERNMENTAL AGREEMENT: Maricopa County Superior Court Jury Commissioner's Office

APPROVED an Intergovernmental Agreement (IGA) with the Maricopa County Superior Court Jury Commissioner's Office for jury services in an amount not to exceed $10,000.00.

BACKGROUND
The Chandler Municipal Court presently utilizes the services of the Maricopa County Superior Court Jury Commissioner to summon citizens of the City of Chandler for jury service. In addition to selecting the names of potential jurors, the contract also provides for the cost of mailing the summons/questionnaires, letters of excuse, postponement and failure to respond cards. The contract also provides a separate payroll service to pay jurors serving on a jury panel.

The initial term of this agreement is July 1, 2014 through June 30, 2016 with the option to renew in writing for four additional two-year terms, to expire no later than June 30, 2024.

FINANCIAL IMPLICATIONS
The fees paid to the Jury Commissioner for FY 2014/15 will be approximately $10,000. This figure includes reimbursement to the Superior Court for the daily attendance fees and mileage reimbursement the Superior Court pays to jurors on behalf of the Chandler Municipal Court plus $2.09 per person summoned.

28. PROJECT AGREEMENT: J2 Engineering and Environmental Design

APPROVED Project Agreement No. PR1405-201 with J2 Engineering and Environmental Design for Downtown Stage, pursuant to Annual Contract No. EN1305-101 for park design services, in an amount not to exceed $39,697.29.

Over the last several years, discussions have taken place between the City and the Downtown Chandler Community Partnership (DCCP) regarding the construction of a stage in the downtown area to facilitate large special events. With the removal of the old museum building, both the City

and the DCCP agreed that the construction of a stage could create a prime event location for a wide variety of events and festivals. As conceived, the stage would be a concrete, stand alone, self-contained facility able to accommodate small scale local events while also possessing electrical capabilities sufficient enough to power the lighting and sound requirements of larger scale musical festivals.

Under a separate agreement, pending Mayor and Council approval, the DCCP will also be contributing toward the ultimate construction of the stage.

29. AGREEMENT AMENDMENT: VIP Roofing

APPROVED Agreement No. BF3-910-3249, Amendment No. 1, with VIP Roofing for roofing repair & maintenance in an amount not to exceed $90,000.00 for a total contract amount not to exceed $139,000.00 for a two-year period.

30. AGREEMENT: ASSI Security of Arizona

APPROVED Agreement No. CM4-840-3368 with ASSI Security of Arizona for CCTV and video security cameras in an amount not to exceed $145,000.00 for a two-year period, with options to renew for up to three (3) additional one-year periods.

31. AGREEMENT: ASSI Security of Arizona

APPROVED Agreement No. CM4-680-3355 with ASSI Security of Arizona for access controls & security equipment: maintenance, repair & purchase, in an amount not to exceed $285,000.00 for a two-year period with options to renew for up to three (3) additional one-year periods. The contract also includes the installation of new access readers at all facilities maintained by Building and Facilities as identified during an audit for added security.

32. AGREEMENT: Group Mobile International, LLC

APPROVED Agreement No. IT4-204-3385 with Group Mobile International, LLC, for the purchase of 29 Motion Computing Tablet Computers in an amount not to exceed $129,954.00.

The City has made great efforts in standardizing computer equipment purchases to ensure compatibility and supportability which reduce maintenance and repair costs. The City brought in ruggedized tablet computers from various manufacturers, and City Staff in multiple departments tested these devices in the field. The result of this field testing was the selection of Motion tablet PCs as the City standard for ruggedized tablets. With this selection, the Police Department and Municipal Utilities Department have a need to purchase these devices for their department operations.

The City of Chandler Police Department purchased the Versaterm Computer Automated Dispatch (CAD) and Records Management System (RMS) in 2010 which is utilized by almost all Police Officers with the exception of Motorcycle Officers. Motorcycle Officers currently must utilize paper reports, citations and forms or drive to a station and enter reports on a Mobile Data Computer (MDC) inside the building, taking the motorcycle unit off the street. The purchase of 23 Motion Tablets will allow Motorcycle Officers the ability to:

- Access computer aided dispatch features
- Communicate with dispatchers, emergency call takers and supervisors

- Access to law enforcement information systems
- Ability to write reports and input RMS data
- Issue electronic citations
- Utilize electronic accident scene entry
- Access City GIS information and maps
- Utilize automatic vehicle location systems for emergency response
- Provide emergency notification systems for officer in trouble/backup assistance situations

The Municipal Utilities Department, partnering with Information Technology and Management Services, is implementing a new Utility Billing System, which enables efficiencies for Meter Services. With the new Utility Billing solution, Meter Services will have enhanced mobile field capabilities including Service Order Management and real-time updates into the Utility system. Field testing of the ruggedized tablets has proven that they are a better fit for field operations than traditional ruggedized laptops. This purchase includes 6 devices.

33. AGREEMENT: Piper Jaffray & Co.

APPROVED Agreement No. MS4-946-3357 with Piper Jaffray & Co. for professional financial advisor services for a period of two years allowing for two, two-year extensions.

It has been seven years since the City of Chandler has issued a Request for Proposal (RFP) for financial advisor services. To ensure the City is receiving the most comprehensive financial advisor services at the best value, Staff felt it prudent to issue a RFP. A financial advisor is used for their expertise on all items of financing necessary to the City's operations, which include General Obligation Bonds, Street and Highway User Revenue Bonds, Water and Sewer Revenue Bonds, Municipal Property Corporation and Improvement District Bonds, Excise Tax Revenue Obligations, Refunding Bonds, and other related financial services. In addition, a financial advisor assists the City in developing a bond issuance strategy, preparing bond documents, marketing bonds to investors, arranging and preparing materials for rating agency presentations, and monitoring the market for refunding opportunities to reduce the City's overall debt service costs when possible.

The finance professional is relied on to proactively identify creative solutions to meet the City's financing needs and goals and understand innovative debt financing methods which can reduce costs, always focusing on the City's best interest.

Financial advisory fees associated with bond sales and incidental expenses related to each bond issue will be paid from individual bond proceeds and are priced based on the type of issue. Advisory fees for special projects that are not related to a specific bond transaction and require four hours or more of work and the preparation of written responses will be charged a competitive hourly fee based on the team member providing the services and will be paid from the appropriate related fund.

34. AGREEMENT AMENDMENT: Safeway Sign Company and Zumar of Arizona

APPROVED Agreement No. TE0-801-2859, Amendment No. 4, with Safeway Sign Company and Zumar of Arizona for the purchase of traffic signs and related items for one year in a combined total amount not to exceed $100,000.00. This is the fourth and final optional one-year extension.

35. AGREEMENT AMENDMENT: Cleanview Video Inspections, LLC

APPROVED Agreement No. WW2-962-3128, Amendment No. 1, with Cleanview Video Inspections, LLC, for video inspection of sewer lines for a two-year period in a total amount not to exceed $344,000.00. This is the final optional two-year extension.

36. CONSTRUCTION CONTRACT: Achen-Gardner Construction, LLC

APPROVED Construction Contract No. WW1415-401 with Achen-Gardner Construction, LLC, for Frye Road Sewer Manhole Rehabilitation in an amount not to exceed $723,850.00.

37. CONSTRUCTION CONTRACT: Danson Construction, LLC

APPROVED Construction Contract No. FI0902-401RB to Danson Construction, LLC, for Fire Station 281 Construction at 1491 E. Pecos Road in an amount not to exceed $3,744,216.54.

This new station is the result of relocating existing Fire Station No. 281 to address response needs of a growing area and to meet the need for an additional southeast fire station. The Fire Station No. 281 relocation project was the result of recommendations from a new Fire Department Standards of Response Coverage study completed during the Fire Department's Accreditation process and the Department Director's committee evaluating overall Capital Improvement Projects (CIP) for the City during the budget process. In the 2009 Standard of Response Coverage study, the Department expanded the scope of planning to include the National Fire Protection Association's Standard 1710. This standard has changed the response parameters for the Department, resulting in a change of fire station locations. This proposal relocates the current Fire Station No. 281 and eliminates one of the planned growth fire stations that was projected for the southeast portion of the City. The Department Director's CIP budget committee also came to the conclusion that if Fire Station No. 281 was relocated, the existing station could be used for other City purposes, thus benefiting several City departments.

38. PURCHASE: Nexus IS, Inc.

APPROVED the purchase of Cisco network equipment and professional services for the Redundant Internet Connectivity Project from Nexus IS, Inc., utilizing Arizona State Contract #ADSPO12-024622, in an amount not to exceed $140,450.00.

City services are becoming increasingly dependent on 24//7/365 connectivity to the Internet to provide expected citizen service results. Several applications are already totally hosted over the Internet with several more planned in the near future. Currently, the City has a single Internet connection through one provider, creating a risk for loss of service. During the FY 2013/14 budget process, a decision package was approved and funded to install a second Internet connection into City Hall which will provide a second entry into the City via a third party carrier for Internet connectivity. This request is to purchase the network equipment for the second Internet connection. This connection will increase the Internet connectivity bandwidth available for providing City services and will allow for continued service in the event of failure of either of the City's two Internet connections.

This purchase was originally approved by Council in February 2014 utilizing a City of Tempe contract through NEC. NEC is unable to fulfill the order and no longer has network engineers employed locally, so Staff is now recommending the purchase to be made from Nexus IS, Inc., via a State contract. IT Staff have met with technical staff from Nexus to review the design. IT feels that Nexus has the technical expertise locally to perform the installation.

39. PURCHASE: SHI International Corporation

APPROVED the purchase of Lotus Notes annual support and maintenance renewal from SHI International Corporation, utilizing the WSCA Contract AZ #ADSPO11-007500, in an amount not to exceed $98,068.00.

The City uses IBM Lotus Notes software for Citywide email and calendaring as well as Domino document storage for the Police Department. The Lotus Notes environment includes email and calendaring licenses supporting City full time and temporary staff including onsite contract staff. In addition, there are several City applications tightly integrated into Lotus Notes including various report applications for the Municipal Utilities Department. The annual maintenance includes Lotus Notes Domino servers (processor maintenance renewal), Lotus Notes client (license maintenance renewal & upgrades) and Lotus Enterprise Integrator.

Lotus Notes support provides access to technical assistance resources to resolve software application issues as well as providing software fixes. The maintenance provides application upgrades necessary to operate keeping the systems current.

The City performs an annual audit of licenses in use. This audit indicates that all licenses are in use and no reduction to the number of licenses can be made at this time.

The annual maintenance renewal last year was $100,040.00. This year's renewal represents a 1.96% decrease due to a license structure change. The effective term is July 1, 2014, through June 30, 2015.

IBM Corporation is the actual provider of the support and maintenance support services and only allows a small group of resellers to sell these services on their behalf. A comparative price inquiry verified that the City will save 2% by purchasing support and maintenance through the WSCA volume discount contract vs. purchasing directly from IBM.

40. SOLE SOURCE PURCHASE: Lucity, Inc.

APPROVED the sole source purchase of annual maintenance for the Enterprise Asset Management (EAM) system from Lucity, Inc., in an amount not to exceed $83,096.00.

Lucity's EAM application is the system that manages the City's service and work requests, coordinates preventative maintenance programs and tracks City asset maintenance throughout the asset's life cycle. This enterprise asset management application is vital to City operations. The City continues to expand the use of the application for other City work management functions. This system also handles citizen service requests and includes a web based service request system. A mobile device application for citizen service requests has also been integrated into this system.

Lucity support provides access to technical assistance resources to resolve application issues as well as providing software fixes. The maintenance provides application upgrades necessary to operate keeping the systems current.

The annual maintenance renewal last year was $80,325.00. This year's renewal represents an approximate 3.45% increase. The effective term is July 1, 2014, through June 30, 2015.

Because the system is proprietary, the ongoing maintenance service is available only from Lucity. No other vendors are authorized to provide these maintenance services.

41. PURCHASE: SHI International Corporation

APPROVED the purchase of Oracle annual support and maintenance services from SHI International Corporation, utilizing the WSCA Contract #ADSPO11-007500, in an amount not to exceed $282,770.00.

The City utilizes Oracle database products to store data for the following major systems: Financial, Payroll/HR, Sales Tax, Work Order Management, Permits and Inspections, Utility Billing, Geographic Information and numerous other departmental systems. The City utilizes Oracle Applications, which include Self Service Human Resources, Financial, Project Billing, iExpense, User Productivity Kit and iProcurement application modules.

Oracle support provides access to technical assistance resources to resolve system issues as well as provide software fixes. The maintenance provides system and application upgrades necessary to operate keeping the systems current.

The City purchases maintenance and support based on the number of servers and processors on which the software is running on an annual basis. The City has audited the number of licenses being used and found that no licenses can be reduced at this time.

Oracle Corporation sets the cost of ongoing support and maintenance as a fixed percentage of the software license cost at the time of initial purchase. The maintenance costs are the same regardless of the reseller.

The annual maintenance renewal last year was $274,801.00. The 2.9% increase in cost for this renewal period is based on an Adjustment Rate built into the original software license purchase contract. The effective term is August 1, 2014, through July 31, 2015.

Oracle only utilizes resellers for their support and maintenance services. A comparative price inquiry verified that the WSCA volume discount contract with SHI International offered the lowest price.

42. PURCHASE: Guidesoft, Inc., dba Knowledge Services

APPROVED the purchase of Information Technology consulting and staffing services from Guidesoft, Inc., dba Knowledge Services, utilizing State Contract #ADSPO12-031581, in an amount not to exceed $56,760.00.

Information Technology has historically hired temporary employees to assist in special projects or backfill vacant positions by utilizing competitively bid temporary staffing agreements. These temporary employees have specialized skills in specific technical areas which complement Information Technology Staff and are intended to work on a temporary basis for a specific assignment. The Information Technology field is becoming increasingly more competitive for specialized resources and assistance is needed to find qualified resources in a timely manner.

The State has contracted with Knowledge Services to provide contract technical support resources. Knowledge Services is a "consolidator" of contract resource providers. They represent a wide range of contract staffing firms. The City provides the requirements, Knowledge Services

poll their providers for resources, and the City interviews the resources and makes a selection. The City then enters into an agreement with Knowledge Services to provide the necessary resource from the most qualified resource provider.

Information Technology is seeking a temporary technical resource to implement the final configuration and set-up of the citywide technology project management solution and related training to complete the roll-out. This resource will help ensure this productivity tool will be delivered to enhance citywide visibility and collaboration for projects. Total cost is $56,760.00 for 516 hours at $110/hour. This project was originally approved in the FY 2012/13 one-time decision package.

43. USE PERMIT: ICEV Parking Lot

APPROVED use Permit ZUP13-0016 ICEV Parking Lot, extension for a temporary parking lot on approximately 2.10 acres located at 411 N. Alma School Road. (Applicant: Wahid Alam; Board of Trustees, ICEV.)

BACKGROUND

The request is for an extension of a parking lot that includes two parcels that are connected and currently serving as temporary parking lots. The subject lots are located north of the northeast corner of Alma School Road and Erie Street, and at the northwest corner of Erie Street and Pleasant Drive. Both lots received Use Permit approval for a temporary parking lot at separate times. This request is to join the two Use Permits to allow the parking lots to be approved under a single request. This request represents the first Use Permit extension for both lots.

Directly north of the subject sites are an existing church, the Mosque which the parking lot serves, and single-family homes. East, across Pleasant Drive, are single-family homes. South is a commercial complex, small apartment complex and Erie Street. South of Erie Street is St. Matthew's Episcopal Church that also utilizes the parking lot.

The larger parking area adjacent to Alma School Road was initially approved in 2011 with a two-year timing condition. The second parking lot, located at the northwest corner of Erie Street and Pleasant Drive, was approved in early 2012 with a two-year timing condition. Once the application was submitted at the end of 2013 for the larger parking lot, it was realized that the second parking lot would expire in early 2014. At that time, the applicant requested that both Use Permits be combined into a single Use Permit. The parking lots are primarily used during the Friday services at the Mosque and during the holiday season, but also allow for overflow parking of St. Matthew's Episcopal Church on Sundays.

The larger lot was rezoned in early 2011 for an office building allowing for shared access and parking with the Mosque.
Recently, the commercial site was acquired by the Mosque with the intention of improving the site. Construction timelines for complete improvements are currently being reviewed by the Board of Directors.

The larger parking lot is designed to provide 172 parking stalls with the smaller parking lot providing 66 spaces. Ingress and egress is provided both along Alma School Road and on Erie Street. A point of access is not provided along Pleasant Drive in an effort to keep traffic from entering into the subdivision at a minimum.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on April 3, 2014. There were two neighbors in attendance with general questions, but were in support of the request. Planning Staff has received a few phone calls in support of the request. Planning Staff has not received any correspondence in opposition from residents; however, the commercial property owner to the south wanted to make sure that the parking lot would continue to be watered down.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioners Donaldson and Pridemore absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit shall remain in effect for two (2) years from the effective date of City Council approval. Continuation of the use of such parking lot beyond the expiration date shall require re-application to and approval by the City of Chandler.
2. The temporary parking lot shall be surfaced with gravel or other suitable material and type of dust palliative in accordance with current Maricopa County regulations. The parking lot shall be maintained at all times in a dust-free and weed-free manner.
3. The expansion or modification beyond the approved site plan shall void the Use Permit and require new Use Permit application and approval.

44. USE PERMIT: AOK Property Assets, LLC

APPROVED Use Permit ZUP14-0007 AOK Property Assets, LLC, for a time extension on the residential conversion for office use located at 542 W. Chandler Boulevard. (Applicant: Niels Kreipke, AOK Property Assets, LLC.)

BACKGROUND
The subject site is located on the north side of Chandler Boulevard east of Hartford Street. The property is surrounded by single-family residential homes to the north, west and east. South, across Chandler Boulevard, is the Focus Corporate Plaza office development. The house immediately to the west has Use Permit approval for an insurance office. In addition, along Chandler Boulevard, there are several other residential homes that were converted to commercial businesses with Use Permits.

The property has been used as a single-family residence since approximately 1950. The property is 18,720 square feet with the home developed over two lots, which were consolidated into one lot. In 2013, a Use Permit was approved with a one-year time limit allowing the conversion of a 2,613 square foot home to a general office. The office specializes in a full service real estate development firm that focuses on redevelopment, urban infill, construction, brokerage agency, and property management under a single company. The company operates as two separate entities, Desert Viking and Venture REI (the real estate agency). The application requests re-approval of the Use Permit with a five-year time limit.

The Residential Conversion Policy allows for one tenant/company for each 1,000 square feet of floor area with a maximum of three users. Based on the size of the home, 2.6 tenants are permitted. There is one tenant operating as two entities as discussed above. There are four offices, two conference rooms, a file room, reception area and lobby. There is no residential component. The office includes 7 employees with some working off-site.

The Residential Conversion Policy requires one parking space for each employee plus one parking space for each 500 square feet of floor area. Seven employees and a 2,613 square foot home (5 parking spaces) require a total of 12 parking spaces. The development provides 10 parking spaces including the two-car carport. The prior Use Permit granted a waiver to allow 10 parking spaces since some staff work off-site. Planning Staff supports the waiver understanding that employees may come and go from the office during the workday or not be on-site at all. The new parking area will be located on the north side of the home.

Access to the parking area is provided from a converted garage to an open carport area. The office does not intend to use the alley for vehicular access other than for emergency purposes. There are no proposed changes to existing landscaping or perimeter walls. Trash containment will remain a residential type pickup as currently occurs.

DISCUSSION
Typically, Use Permits are approved on a 1, 3, 5-year and unlimited basis or other time frame based on the nature of a request. The initial application was granted for a one-year time limit; however, construction was occurring and the office use has occurred less than one year. Planning Staff recommends a five-year time limit finding the office use has been compatible and provides sufficient parking operating similarly to existing residential conversion offices.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 12, 2014. There were no neighbors in attendance.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioners Donaldson and Pridemore absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit shall be effective for five (5) years from the date of Council approval. Use Permit extensions, for similar or greater time periods, shall be subject to re-application to and approval by the City of Chandler.
2. Expansion or modification beyond the approved exhibits (Narrative, Site Plan, Floor Plan) shall void the Use Permit and require new Use Permit application and approval by the City of Chandler.
3. The Use Permit is non-transferable to any other property.
4. Increases in on-site employment over that represented, seven (7), or the expansion of the home to provide additional office space, shall require a new Use Permit application and approval by the City of Chandler.
5. The property shall be maintained in a clean and orderly manner.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting in accordance with City approved construction plans.

45. USE PERMIT: AZ Realty Network

APPROVED Use Permit ZUP14-0008 AZ Realty Network, to allow an office use within a residential conversion located at 598 W. Chandler Boulevard. (Applicant: Chuck Redding, property owner.)

BACKGROUND

The subject site is located on the northeast corner of Chandler Boulevard and Hartford Street. It is surrounded by single-family residential homes to the north, west and east. South, across Chandler Boulevard, is the Focus Corporate Plaza office development. Homes immediately to the west and east have Use Permit approval for office. In addition, along Chandler Boulevard, there are several other residential homes that were converted to commercial businesses with Use Permits.

The subject property was initially converted and received Use Permit approval in 1993 to allow a travel agency office. There have been several Use Permit approvals for time extensions and new office uses since 1993. The latest Use Permit approval was in 2013 allowing a wedding planning and bridal service use with a three-year time limit extension. This business no longer occupies this home. The property owners are requesting approval to allow their real estate office to occupy the site. The real estate office is primarily off-site in which the office manager and real estate agents work mostly from their homes. The primary use of the home is office space and a meeting place for agents and clients. The home is approximately 2,000 square feet with three offices which will be used on a part-time basis. There is a real estate broker, office manager and three real estate agents. The business is mostly a virtual, paperless company thus limiting staff hours at the property.

The Residential Conversion Policy requires one parking space for each employee plus one parking space for each 500 square feet of floor area. The site has four parking spaces, one of which is for people with disabilities. With limited use of the home for employees, four parking spaces are appropriate. In prior Use Permit cases having more than three employees, zoning conditions were included to prohibit tandem parking in the parking lot, no parking along Hartford Street, and no parking in the front yard other than on the concrete driveway. Planning Staff is including these conditions with this request.

There were prior landscape maintenance issues with the last tenant. The property owner, who will be occupying the site, has conveyed they will maintain landscaping.

Typically, Use Permits are approved on a 1, 3, 5-year and unlimited basis or other time frame based on the nature of a request. The prior Use Permit application for a wedding planning and bridal service was granted for a three-year time limit. Given past Use Permit approvals for office and the recent wedding business, Planning Staff supports a five-year approval for the real estate office given its limited hours on-site for the employees and clients as well as a history of compatibility.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 5, 2014. One area resident attended expressing a concern for the site's landscape maintenance. The property owner conveyed he was aware of the prior tenant's lack of site maintenance and stated the site will be maintained now that they are occupying it again.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Donaldson and Pridemore absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit shall be effective for five (5) years from the date of Council approval. Use Permit extensions, for similar or greater time periods, shall be subject to re-application to and approval by the City of Chandler.
2. Expansion or modification beyond the approved exhibits (Narrative, Site plan, Floor Plan) shall void the Use Permit and require new Use Permit application and approval by the City of Chandler.
3. The Use Permit is non-transferable to any other property.
4. There shall be no tandem parking in the designated parking spaces at the rear of the property.
5. Parking along Hartford Street is not permitted for either employees or clients.
6. Parking shall not be permitted in the front yard other than on the existing concrete driveway.
7. The site shall be maintained in a clean and orderly manner.
8. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

46. USE PERMIT: Zoe's Kitchen

APPROVED Use Permit LUP14-0006 Zoe's Kitchen, series 12 Restaurant License, to sell and serve liquor as permitted for on-premise consumption in a new restaurant located at 7131 W. Ray Road, Suite 7, SEC of Ray Road and 54th Street. (Applicant: Andrea Lewkowitz Law Office, PLC.)

BACKGROUND
The subject site is located at 7131 W. Ray Road, Suite 7, southeast corner of Ray Road and 54th Street in The Shoppes at Casa Paloma. The commercial center includes a mix of restaurants and retailers. Adjacent to Zoe's Kitchen is Nektar Juice, Elements Massage and Pei Wei. The request is for Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption in a new restaurant. Zoe's Kitchen is currently undergoing renovation with an estimated opening in late May. Floor area is approximately 2,934 square feet and can accommodate approximately 94 customer seats.

The applicant originally requested a patio; however, the colonnade and sidewalk are designed for shoppers to easily access each business without going around an outdoor patio. The pedestrian walkway in front of Zoe's Kitchen is not conducive to an outdoor patio. Planning Staff agreed to a few bistro tables located adjacent to the storefront for dining without liquor. Signage will be posted outside of the restaurant stating alcohol is not permitted.
The restaurant anticipates 14 employees with two full-time and 14 part-time staff. Hours of operation are proposed from 11 a.m. until 9 p.m., seven days a week. Background music will be provided by a house speaker system located inside the restaurant.

PUBLIC/NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on April 22, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioners Donaldson and Pridemore absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Liquor Use Permit granted is for a Series 12 license only and any change of license shall require reapplication and new Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

47. LIQUOR LICENSE: Zoe's Kitchen

APPROVED a Series 12 Restaurant Liquor License (Chandler #152490 L12) for Andrea Dahlman Lewkowitz, Agent, Zoe's Arizona LLC, dba Zoe's Kitchen, 7131 W. Ray Road, Suite 7. A recommendation for approval of State Liquor License #12079843 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

48. LIQUOR LICENSE: Pizza on 87

APPROVED a Series 12 Restaurant Liquor License (Chandler #152927 L12) for Jared Michael Repinski, Agent, Pizza on 87 LLC, dba Pizza on 87, 1368 N. Arizona Avenue, Suite 101. A recommendation for approval of State Liquor License #2079898 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. The applicant's Use Permit through Transportation and Development was approved on May 8, 2014.

49. LIQUOR LICENSE: Ranchero Mexican Grill 2

APPROVED a Series 12 Restaurant Liquor License (Chandler #152474 L12) for Elizabeth Albuja, Agent, Byliel Inc., dba Ranchero Mexican Grill 2, 757 E. Chandler Boulevard. A recommendation for approval of State Liquor License #12079850 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.
Transportation and Development advises a new Use Permit is not required since this will be a continuation of the locations' previous use as La Victoria Mexican Grill.

50. SPECIAL EVENT LIQUOR LICENSE: Rugby Arizona

APPROVED a Special Event Liquor License for Rugby Arizona for the Sizzling 7's Rugby Tournament on June 14, 2014 at Beef O'Brady's, 6045 W. Chandler Boulevard. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

51. SPECIAL EVENT LIQUOR LICENSE: Chandler Lions Club Foundation

APPROVED a Special Event Liquor License for the Chandler Lions Club Foundation for the 4th of July Festival & Fundraiser on July 4, 2014, at Tumbleweed Park, 2250 S. McQueen Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

52. SPECIAL EVENT LIQUOR LICENSE: The Leukemia & Lymphoma Society

APPROVED a Special Event Liquor License for The Leukemia & Lymphoma Society for the Summer of Love Fundraiser on June 14, 2014, at Mark Taylor San Palacia, 2255 W. Germann Road. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

53. FINAL PLAT: Layton Lakes Parcel 17 Amended

APPROVED Final Plat FPT14-0004 Layton Lakes Parcel 17 Amended, for a 61-lot residential subdivision at the SWC of Lindsay and Queen Creek roads. (Applicant: Larry Sullivan, Coe & Van Loo Consultants, Inc.) The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval.

54. FINAL PLAT: The Met at Fashion Center

APPROVED Final Plat FPT14-0003 The Met at Fashion Center, for a multi-family residential development and a future mixed use parcel located at the SEC of Chandler Boulevard and Hearthstone Way. (Applicant: Hubbard Engineering.) The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval.

ACTION

55. CITYWIDE FEE SCHEDULE AMENDMENT Res. #4773

DAWN LANG, Management Services Director highlighted some of the changes to the Fee Schedule.

Ms. Lang addressed changes to the following:

- Minor changes/updates to the Community Services, Fire and Police Fee sections
- New processes implemented in 2013 were followed for updating these fees which included:

- Posting on city website for more than 60 days
- A notice of intention to amend the fees was published in the Arizona Republic and through use of social media

To date the City has not received any comments regarding the proposed changes.

BACKGROUND

Each year, departments review their fees to determine if any updates are necessary that require changing, eliminating, or adding a new fee. In 2013, the City Code was amended to add several new requirements to establish or change City fees. In keeping with these new procedures, the fees were posted on the City's web site on April 4, 2014, in accordance with requirements of the City Code and Arizona Revised Statutes, a Notice of Intention to Amend the Citywide Fee Schedule has been published in the Arizona Republic as well as through social media to alert the public of the proposed changes.

The proposed changes to the Citywide Fee Schedule were included in the materials presented at the Council Budget Briefing on May 2, 2014. Additionally, the City Code now requires that the resolution to revise the Citywide Fee Schedule be an action item on the date specified on the Notice of Intention to allow for Council discussion and public comment.

The proposed changes to the Citywide Fee Schedule include:

- Eliminate the Fire Department hazardous materials fee when there are less than 550 pounds of hazardous materials onsite;
- Revise the Fire Department permit fee for motor vehicle fuel-dispensing stations to a fee for only the initial inspection or subsequent change in ownership;
- Revise the Fire Department open burn permit fee descriptions;
- Eliminate the Fire Department firefighter breathing air replenishment system fee;
- Increase the Fire Department hourly standby rates for emergency medical and fire prevention personnel;
- Establish a Community Services Department museum banner exhibit rental fee;
- Establish a Community Services Department museum school truck education resource rental fee;
- Revise the Community Services Department Environmental Education exploration fee;
- Revise the Community Services Department description for the rental of Dr. A.J. Chandler Park;
- Establish Community Services Department personal and group training session rates at the Tumbleweed Recreation Center; and
- Increase the Police Department hourly rate charged for workers compensation on extra duty fees.

FINANCIAL IMPLICATIONS

The amendments to the Citywide Fee Schedule are a combination of eliminating fees, revising descriptions and minor increases. The anticipated overall impact to citywide revenues is negligible.

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COUNCILMEMBER WENINGER TO ADOPT RESOLUTION NO. 4773 AMENDING THE CITYWIDE FEE SCHEDULE RELATING TO THE FIRE DEPARTMENT, COMMUNITY SERVICES DEPARTMENT AND POLICE DEPARTMENT WITH THE CHANGES TO BECOME EFFECTIVE JULY 1, 2014.

MOTION CARRIED UNANIMOUSLY (7-0).

PUBLIC HEARING:

PH1. 2014-15 FINAL BUDGET, 2015-2024 CAPITAL IMPROVEMENT PROGAM AND 2014-2015 PROPERTY TAX LEVY

MAYOR TIBSHRAENY opened the public hearing at 7:10 p.m.

DAWN LANG, Management Services Director recapped the Tentative Budget amounts for the 2014-2015 Fiscal Year Budgets: City General Operating Budget of $783,474,647, 2015-2024 Capital Improvement Program budget of $918,401,732 and property tax levy. She summarized the steps taken by Council and Staff related to the publications, public meetings, and adoption of resolutions, all part of the open and public process.

She highlighted a few items in the Capital Improvement Budget:

- In 2014-2015 – the budget includes the construction of Citrus Vista Park
- Improvements to the final segment of McQueen and Riggs Rds.
- Purchase of Fire/Rescue vehicles
- Design of a joint water treatment plant
- Continued City infrastructure maintenance
- The property tax rate reflects a 9.22 cent reduction which translates to approximately $1.18 per $100 of assessed value residents pay to the City of Chandler

BACKGROUND:
On May 22, 2014, Council adopted Resolution No. 4763 which adopted the 2014-15 Tentative Budget in the amount of $783,474,647 and set June 12, 2014, as the date for a public hearing to allow taxpayers to comment and provide input on the budget, capital improvement program and tax levy. A Notice of Public Hearing for "Adoption of the 2014-15 Annual Budget and 2015-24 Capital Improvement Program and Setting of Property Tax Levies" has been posted on the official City website since May 27, 2014 and published in the Arizona Republic on June 4 and June 11, 2014, as required by State Statute. The notice includes a summary of the Tentative Budget, with State Auditor General Budget Forms attached, and provides a general description of the ten-year Capital Improvement Program.
Council action on the budget and capital improvement program is scheduled immediately following the public hearing. Action on the tax levy is scheduled for June 26, 2014.

FY 2014-15 BUDGET AND PROPERTY TAX LEVY
Arizona Revised Statutes provide that the total amounts proposed to be spent in the final budget shall not exceed the total amounts that were proposed for expenditure in the published tentative estimates. The tentative Budget of $783,474,647 includes funding for departmental operating budgets of $330,831,480; funding for debt service of $64,891,189; budget for equipment, technology, and vehicle replacement purchases of $10,190,061; and contingencies and reserves in the amount of $95,013,718 in various funds. The capital budget includes $99,977,319 in new appropriation; $181,220,880 in capital carry forward and contingency and reserve funding of $2,350,000.

Included in the projected operating revenues of $478,435,469 is a property tax levy of $27,283,365 based on a rate of $1.1792 per $100 of assessed property value (a 9.22 cent decrease from the existing rate) plus $488,535 for Salt River Project's payment to the City in lieu of property tax for a total of $27,771,900. Arizona Revised Statutes Truth in Taxation requirements are not required for FY 2014-15 since the Primary Property Tax Levy is decreasing as a result of the reduction to the Primary Property Tax Rate from $0.3292 per $100 of Assessed Value to $0.2992 per $100 of Assessed Value.

FY 2015-2024 CAPITAL IMPROVEMENT PROGRAM

City Charter requires the City Manager to present a (minimum) 5-Year Capital Improvement Program (CIP) for the City of Chandler to the City Council before June 15 of the current fiscal year. The proposed CIP is a 10-Year Program. Information regarding the various capital projects, cost estimates, methods of financing, recommended time schedules and estimated annual operating cost were presented at the Budget Briefing May 2, 2014. The 2015-2024 Capital Improvement Program totals $918,401,732.

In response to a question from the Mayor, MS. LANG said the city portion of the property tax rate will reduce from $1.2714 to $1.1792 per $100 of assessed value, primary and secondary total.

VICE MAYOR HEUMANN thanked staff for their work on the budget. He noted the city is able to do many projects due to the conservative nature.
Councilmember Hartke said it was good to see the aggressiveness in lowering the property tax in Chandler and speaks to the fiscal soundness of the city.

MAYOR TIBSHRAENY closed the public hearing at 7:18 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor congratulated Councilmember Donovan and her husband on the birth of their baby.

He mentioned several road projects underway or soon to be started within Chandler. These projects are tied to federal funds which follow strict requirements and asked residents for their continued patience during the construction.

The Mayor announced he would deliver his annual State of the Downtown address next week during the annual meeting of the Downtown Chandler Community Partnership (DCCP).

Mayor Tibshraeny and the City Council extended their appreciation and thanks to DCCP Executive Director Jennifer Lindley for her outstanding work with the organization and the City. They wished her all their best as she has accepted a new position with the Town of Queen Creek.

He wished Vice Mayor Heumann a belated birthday, and wished all Dad's a Happy Father's Day.

B. Councilmembers' Announcements

VICE MAYOR HEUMANN reminded everyone to watch their kids and be safe around water this summer. He mentioned agenda item 13, approved earlier, and how he looks forward to the benefit the project will contribute to the downtown area. He congratulated Michelle Mitchel from the Arizona Republic on her new job with the Drug Enforcement Agency.

COUNCILMEMBER KEVIN HARTKE encouraged the public to support the Stuff the Bus campaign to collect school supplies and clothing for Chandler students, now through July 14 inside Chandler Fashion Center.

Congratulations were extended by all to Councilmember Trinity Donovan and her husband Ray Bolkan on the birth of their daughter Micah Rae who was born on May 27.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:25 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: June 26, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 12th day of June 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27 day of June, 2014.

_____
City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, June 12, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:25 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	*Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	*Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

* Councilmember Donovan and Sellers participated by phone.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

1. BUDGET Res. #4764

Resolution No. 4764 adopting the 2014-15 Budget of $783,474,647.00 and Capital Improvement Program of $918,401,732.00

On May 22, 2014, Council adopted Resolution No. 4763 which adopted the 2014-15 Tentative Budget in the amount of $783,474,647 and set June 12, 2014, as the date for a public hearing to allow taxpayers to comment and provide input on the budget, capital improvement program and tax levy. A Notice of Public Hearing for "Adoption of the 2014-15 Annual Budget and 2015-24 Capital Improvement Program and Setting of Property Tax Levies" has been posted on the official City website since May 27, 2014 and published in the Arizona Republic on June 4 and June 11, 2014, as required by State Statute. The notice includes a summary of the Tentative Budget, with State Auditor General Budget Forms attached, and provides a general description of the ten-year Capital Improvement Program. Council action on the budget and capital improvement program is scheduled immediately following the public hearing. Action on the tax levy is scheduled for June 26, 2014.

FY 2014-15 BUDGET AND PROPERTY TAX LEVY

Arizona Revised Statutes provide that the total amounts proposed to be spent in the final budget shall not exceed the total amounts that were proposed for expenditure in the published tentative estimates. The tentative Budget of $783,474,647 includes funding for departmental operating budgets of $330,831,480; funding for debt service of $64,891,189; budget for equipment, technology, and vehicle replacement purchases of $10,190,061; and contingencies and reserves in the amount of $95,013,718 in various funds.

The capital budget includes $99,977,319 in new appropriation; $181,220,880 in capital carry forward and contingency and reserve funding of $2,350,000.

Included in the projected operating revenues of $478,435,469 is a property tax levy of $27,283,365 based on a rate of $1.1792 per $100 of assessed property value (a 9.22 cent decrease from the existing rate) plus $488,535 for Salt River Project's payment to the City in lieu of property tax for a total of $27,771,900. Arizona Revised Statutes Truth in Taxation requirements are not required for FY 2014-15 since the Primary Property Tax Levy is decreasing as a result of the reduction to the Primary Property Tax Rate from $0.3292 per $100 of Assessed Value to $0.2992 per $100 of Assessed Value.

FY2015-2024 CAPITAL IMPROVEMENT PROGRAM

City Charter requires the City Manager to present a (minimum) 5-Year Capital Improvement Program (CIP) for the City of Chandler to the City Council before June 15 of the current fiscal year. The proposed CIP is a 10-Year Program. Information regarding the various capital projects, cost estimates, methods of financing, recommended time schedules and estimated annual operating cost were presented at the Budget Briefing May 2, 2014. The 2015-2024 Capital Improvement Program totals $918,401,732.

MANAGEMENT SERVICES DIRECTOR DAWN LANG briefly addressed the process for approving the budget citing the budget survey, Budget Connect meeting and the culmination of staff's input.

VICE MAYOR HEUMANN emphasized the increase to the reserve fund from 12% to 15%.

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COUNCILMEMER HARTKE TO ADOPT RESOLUTION 4764 ADOPTING THE 2014-2015 BUDGET OF $783,474,647 AND THE CAPITAL IMPROVEMENT PROGRAM BUDGET OF $918,401,732.

MOTION PASSED UNANIMOUSLY (7-0).

Adjournment: The meeting was adjourned at approximately 7:30 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: June 26, 2014.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 12th day of June 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27 day of June, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, June 26, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:04 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Councilmember Hartke

PLEDGE OF ALLEGIANCE: Councilmember Donovan led the Pledge of Allegiance.

CONSENT:

MAYOR TIBSHRAENY announced that Item 30 (Employment Agreement - Traynor) needs additional work and the item is withdrawn. He noted the legal protest for Item No. 5 had been removed. The Mayor stated 17 cards were filed in support of Item No. 5 (Foothills Community Church rezoning). He received two speaker cards in support of Item No. 12 and one opposed related to the Ocotillo Area Plan Amendment. Discussion is noted under that item.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER ELLEN, TO APPROVE THE CONSENT AGENDA, NOTING ITEM 30 HAD BEEN WITHDRAWN.

VICE MAYOR HEUMANN stated he would be voting no on Item No. 7. The ordinance is due to state legislation imposed on municipalities. He commented that the state legislature does not favor rules imposed on them by the federal government, yet that is exactly what they have done to Arizona municipalities.

MOTION CARRIED UNANIMOUSLY (7-0), with the exception noted.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Study Session of June 9, 2014.
1b. Regular Meeting of June 12, 2014.
1c. Special Meeting (Budget) of June 12, 2014.

2. REZONING: Ray Road Apartment Homes Ord. #4533

ADOPTED Ordinance No. 4533, DVR13-0050, Ray Road Apartment Homes, rezoning from Planned Industrial District with a Planned Area Development (PAD) overlay to PAD for multi-family residential for a 192-unit multi-family residential development on approximately 7 acres located east of the NEC of Arizona Avenue and Ray Road.

3. DEDICATION IN FEE: NEC of McQueen Road and Via De Palmas Road Ord. #4543

ADOPTED Ordinance No. 4543 authorizing the dedication in fee of a portion of City-owned property located at the NEC of McQueen Road and Via De Palmas Road for public roadway purposes.

4. CITY CODE AMENDMENT: Chapter 27 Ord. #4544

ADOPTED Ordinance No. 4544 amending Chapter 27, Sections 27-1 through 27-8 of the Chandler City Code relating to the name of the Chandler Fire Department and the Department Responsibilities.

5. REZONING/PRELIMINARY DEVELOPMENT PLAN: Foothills Community Church Ord. #4546

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4546, DVR13-0044 Foothills Community Church, rezoning from Planned Area Development (PAD) for Industrial uses to PAD for a church located north of the NWC of Hamilton Street and Pecos Road.
APPROVED a Preliminary Development Plan for building architecture and site layout on 1.9 acres located north of the NWC of Hamilton Street and Pecos Road. (Applicant: S.A. Everly; Phoenix Valley Design/Build, LLC.)

BACKGROUND
The subject site is located north of the northwest corner of Hamilton Street and Pecos Road, within the Bogle Business Park. Directly north is the existing Centro de Alabanza Church; west is the Old Castle concrete vault manufacturer; south is a grading company and east is a portion of Folley Park with the ICAN (Improving Chandler Area Neighborhoods) facility east of the park.

The subject site received conceptual PAD zoning for business park uses in October 1987 as part of the approximately 52-acre Bogle Business Park. The majority of parcels within the park are planned for industrial business park uses with the potential for compatible commercial uses located along the Pecos Road and Hamilton Street intersection. A number of parcels along the business park's perimeter are currently vacant.

SITE LAYOUT/BUILDING ARCHITECTURE
Two buildings are proposed with the first building, Building A, as Phase I encompassing 9,454 square feet. Phase II, Building B, is proposed at 5,220 square feet. Upon construction of Phase II, the sanctuary will be relocated from Phase I to Phase II and the sanctuary in Phase I will be repurposed to a fellowship hall. It is anticipated that a daycare will be provided upon completion of Phase II, separate from church functions (Sunday school), which has given rise to the concerns expressed by the property owner to the south. It is anticipated that Phase II will be constructed approximately two years after Phase I is completed.

Architectural details are provided for the first building; the second building will be architecturally compatible with the first building and will be administratively reviewed for approval. The architectural design incorporates elements not typically found on churches and includes angled roof elements, various horizontal windows framed with shadow boxes, rusted steel elements, and two CMU block sizes used to create horizontal lines.

The Planning Commission and Planning Staff support the request finding the use is consistent with the zoning and that the overall design presents a very attractive addition to the area.

The request was continued from the May 22, 2014, Council meeting to allow the applicant time to determine if the buildings could be shifted to the northern property line in an effort to address dust, material off-gassing and separation requirements from the church due to the grading company employing persons with particular prior criminal behaviors that require separation from children. While the dust and material concerns are addressed through the Maricopa County Dust Control Department and the Occupational Health and Safety Administration (OSHA), the applicant understands that there may be dust in the area and is not concerned. With the current layout of the building, the southern wall plane largely blocks dust from the south, whereas if the building were flipped, the open courtyard design would trap the dust exacerbating the dust concerns.

Addressing the concern with employees of prior criminal activity, the applicant reviewed State statutes and found that persons with prior criminal convictions have restrictions on who they work for and where they reside, but there are no restrictions on adjacent businesses or their operations. Lastly, addressing the shifting of the building to the north, the developer reviewed whether or not it could be done and for the following reasons, has concerns with shifting the building: 1) the current orientation of the building allows for shading of the common areas throughout the day and was specifically designed for this purpose; 2) a study of the property showed that the soil make-up varied on the site which would require some excavation and compaction resulting in potential cost increases for the development of the site; and 3) the natural drainage of the site flows to the north and locating the building to the north would require redesign of the drainage system.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Due to there being only a few property owners within the notification list, a neighborhood meeting was not held; however, the applicant contacted each property owner within the notification area individually to discuss the project and followed up with a letter explaining the request. The applicant then submitted letters of support or opposition to Planning Staff. One neighbor opposes the request based on a difference in religious perspective; however, they did not contact Staff, but rather informed the applicant. The property owner to the south, while not initially opposed, had the item pulled at the Planning Commission hearing to state his opposition. The applicant tried contacting the property owner following the Planning Commission hearing, but the owner was unresponsive.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 - 0 with Commissioner Foley absent.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR13-0044, except as modified by condition herein.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The site shall be maintained in a clean and orderly manner.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

6. 2014-15 PROPERTY TAX LEVY Ord. #4537

ADOPTED Ordinance No. 4537 adopting the 2014-15 Property Tax Levy.

BACKGROUND

State law requires that the tax levy necessary for funding the adopted budget be established by ordinance and be adopted fourteen (14) days following the public hearing and the final adoption of the budget and not later than the third Monday in August (August 18, 2014). As this tax levy ordinance is an administrative method of setting apart funds necessary for use and maintenance, it does not require an extraordinary (3/4) vote to make it effective immediately. This determination is based on a Supreme Court decision and is fully explained in the Municipal Budget and Financial Manual provided by the Arizona League of Cities and Towns.

Ordinance No. 4537 follows the prescribed form recommended for adoption and establishes a tax levy of an estimated $27,771,900.00 as set forth in the 2014-15 Budget. In this ordinance, the Chandler City Council directs the County of Maricopa to levy the amount allowed by law. The total tax rate will be $1.1792 per $100.00 of assessed valuation. Property value estimates have been received from the County Assessor's office and are available for public inspection in the City of Chandler office of the City Clerk and the Management Services Department.

7. CITY CODE AMENDMENT: Chapter 28 Ord. #4548

VICE MAYOR HEUMANN VOTED NO ON THIS ITEM.

ADOPTED (6-1) Ordinance No. 4548 amending sections 28-22 of Chapter 28 of the Code of the City of Chandler to modify the title of the Section; add Subsection 28-22.1 for existing provisions on preemption and make minor revisions thereto; and add new Subsection 28-22.2 relating to the sale and use of consumer fireworks; and declaring an emergency.

BACKGROUND

On April 22, 2014, Governor Brewer signed Senate Bill 1158 which amended State law regulating the use and sale of consumer fireworks in Arizona. The amended law allows both the sale and use of consumer fireworks in Maricopa County (and Pima County), subject to local regulation, during the following time periods each year:

Sale permitted:	May 20 through July 6 December 10 through January 3
Use permitted:	June 24 through July 6

December 24 through January 3

The state legislation was passed as an emergency measure and took immediate effect upon approval of the Governor.

The ordinance amends Chapter 28 to add language that allows the use of "permissible consumer fireworks" in the City of Chandler, consistent with State law, during authorized time periods on private property with permission of the property owner or the owner's authorized agent. The amendment will also prohibit the use of fireworks on any public property including City-owned or managed facilities, public parks, public school facilities, public retention basins, and public roads and streets. It will also require fireworks vendors to display signs at each cash register that clearly state which dates are acceptable for fireworks use. This amendment is necessary to the protection of life, health, property and the public peace and is consistent with a regional approach to fireworks use within City limits. It is adopted as an emergency measure because the amendments to the City Code are necessary to address the sale and use of permissible consumer fireworks within the City of Chandler which are now permitted under recently enacted State law.

8. INTERGOVERNMENTAL AGREEMENT: Town of Gilbert Res. #4710

ADOPTED Resolution No. 4710 authorizing the execution of an Intergovernmental Agreement (IGA) with the Town of Gilbert for the creation of a joint holding facility to house their respective detainees, and authorizing the Mayor of the City of Chandler to execute such agreement and authorizing the Chief of Police to administer, execute and submit all documents and other necessary instruments in connection with such IGA.

BACKGROUND

Currently, neither the City of Chandler Police Department nor the Town of Gilbert Police Department has a 24-hour holding facility. Both agencies must process arrestees and then transport them to downtown Phoenix for booking at the Maricopa County Sheriff's Office (MCSO) detention facility. MCSO charges a booking fee for each prisoner booked into the facility. Within 24 hours of booking, all prisoners are returned to their respective cities for an initial appearance before a judge. If the judge does not release a prisoner after the initial appearance, the prisoner is then transported back to the same MCSO facility, processed back into the facility and MCSO charges another booking fee.

The Chandler Police Department's temporary holding facility was not designed or equipped with the infrastructure necessary to hold prisoners for 24 hours. The existing Gilbert facility, with some modifications, is capable of handling both agencies' needs to hold prisoners until their initial appearance. The cooperative agreement will allow Chandler to partner with the Town of Gilbert using shared resources, expenditures and investment to utilize their facility, which will eliminate the multiple trips to Phoenix, reduce booking costs, decrease overall expenses and allow the facility to be self-governed and manage costs in a more efficient and predictable manner.

FINANCIAL IMPLICATIONS

The proposed budget for one-time and ongoing costs was originally presented as $336,523.00 with an indication that costs were still being identified and developed.
Technology network costs have been updated and have increased the amount of the initial estimate to $460,530.00 ($100,574.00 ongoing and $359,956.00 one-time) in the first year. This reflects Chandler's contribution for the modifications to the Gilbert facility plus Chandler's share or

the ongoing facility costs. Subsequent annual costs are projected to be approximately $141,106.00 with a small inflationary factor for future years.

With the reduction of booking prisoners into the MCSO facility, approximately $251,162.00 in costs will be avoided annually. It is projected that by the fourth year of operation, the net effect will be that the City of Chandler will save approximately $100,000.00 annually.

Funding in the amount of approximately $460,530.00 for this proposal will come from the cost savings from the existing prisoner care budget and will be shifted to the appropriate accounts for personnel, supplies and equipment.

9. SETTLEMENT: State Farm

APPROVED a settlement in the matter of State Farm Insurance v. City of Chandler, et al., by payment from the City of Chandler of the sum of $57,000 in full and final satisfaction of all claims asserted against the City of Chandler without admitting liability or admissions from either party and further authorize the City Attorney to sign any necessary documents in such form as are approved by the City Attorney to effectuate the terms of settlement and this motion.

10. INTERGOVERNMENTAL AGREEMENT: Arizona Game and Fish Res. #4776

ADOPTED Resolution No. 4776 authorizing the Intergovernmental Agreement (IGA) with the Arizona Game and Fish Department to provide a Community Fishing Program at Desert Breeze Park Lake and Veterans Oasis Park Lake; and authorizing the City Manager to sign the agreement.

BACKGROUND
The City and the Arizona Game and Fish Department have worked together to provide community fishing opportunities at the Desert Breeze Park Lake since 1990 and at Veterans Oasis Park since 2007. Under the terms of this four-year agreement, the Arizona Game and Fish Department will stock the lakes, assist with lake management by monitoring basic water quality and providing periodic lake assessment reports, assist with lake and fishery management and work with the City to provide free fishing clinics to the public. Chandler, along with 14 other cities, participates in the program that includes a total of 36 designated urban lakes and ponds.

Under the IGA, the Arizona Game and Fish Department conducts 42 fish stockings each year with an estimated 17,800 fish delivered. It's been estimated by Arizona Game and Fish that over 3,350 Chandler residents fish at the two lakes. Overall, the Community Fishing Program provides a fun, safe and affordable way for Chandler residents of all ages and abilities to relax outdoors and have fun catching quality fish that can be eaten.

FINANCIAL IMPLICATIONS
The current four-year IGA will expire at the end of this fiscal year. The new IGA is similar to the current one with two notable changes being an increase in the annual fee amounts and new language regarding the collaborative aspects of the agreement, which has been reviewed and approved by the Law Department. The current fee of $8,910.00 will increase to $9,135.00 and stay the same for fiscal years 2014-15 and 2015-16, and then increase to $9,270.00 for fiscal years 2016-17 and 2017-18. The combined costs over the terms of the four-year agreement are $36,810.00.

11. IGA AMENDMENT: Maricopa County HOME Consortium Res. #4780

ADOPTED Resolution No. 4780 authorizing Amendment #1 to the Intergovernmental Agreement (IGA) between the City of Chandler and the Maricopa County HOME Consortium to increase the amount of Home Investment Partnership Program (HOME) funds allocated to Chandler to $461,041.00 for the Agreement beginning July 1, 2013; authorizing the Mayor to execute the IGA and authorizing the City Manager or designee to execute appropriate certifications and other documents and to take other actions as necessary to carry out the intent of the resolution.

BACKGROUND

The City of Chandler receives federal HOME Investment Partnership funds annually through the Maricopa HOME Consortium which is comprised of the cities/town of Avondale, Chandler, Gilbert, Glendale, Peoria, Scottsdale, Surprise and Tempe. For the fiscal year beginning July 1, 2013, the City was authorized to receive $276,790.00 through its IGA with the Maricopa County HOME Consortium.

On March 20, 2014, the Consortium voted to reallocate $184,251.00 in HOME funds from Gilbert to Chandler, specifically for the funding of Tenant Based Rental Assistance activities. On May 8, 2014, the Mayor and City Council voted to approve the reallocation of these funds through an Intergovernmental Agreement between the Town of Gilbert and the City of Chandler. To increase the City's allocation of HOME funds to $461,041.00 and to finalize this reallocation, the City of Chandler's IGA with the Maricopa County HOME Consortium must be amended in order for the County to provide the increased funds to Chandler.

12. AREA PLAN AMENDMENT / REZONING / PRELIMINARY DEVELOPMENT PLAN / PRELIMINARY PLAT: Echelon @ Ocotillo Res. #4781 & Ord. #4547

ADOPTED Resolution No. 4781, APL14-0006 Ocotillo Area Plan Amendment/DVR13-0045/PPT13-0029, Echelon @ Ocotillo, amendment to the Ocotillo Area Plan from Compadre Stadium, Employment and Junior High School, to Single-Family Residential and Townhouse.
INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4547, DVR13-0045 Echelon @ Ocotillo, rezoning from Planned Area Development (PAD) for Compadre Stadium and Agricultural District (AG-1), to Planned Area Development (PAD) for single-family residential and townhouse. (Applicant: Chris Clonts, Standard Pacific of Arizona.)
APPROVED Preliminary Development Plan (PDP) for subdivision layout and housing product on property totaling approximately 6 acres located at the SEC of Alma School and Ocotillo roads.
APPROVED Preliminary Plat (PPT) PPT13-0029 for property totaling approximately 64 acres located at the SEC of Alma School and Ocotillo roads.

BACKGROUND

The subject site is comprised of a series of parcels totaling approximately 64 acres located at the southeast corner of Alma School and Ocotillo roads. The site is bordered on the west by Alma School Road with an under-construction commercial development, including a fitness facility, located west of the arterial. Ocotillo Road abuts the north side with an assisted living facility and a single-family residential neighborhood located north of Ocotillo Road. Adjacent on the south, is an existing Basha's distribution facility and the City of Chandler Snedigar Sportsplex that includes a dog park. Basha Road is located along the site's eastern side, with Fulton Ranch and rural residential lots located further east. A portion of the subject site included the former Compadre Stadium site, the spring training home for the Milwaukee Brewers. The stadium, constructed in 1985, served until the club moved their spring training activities to West Phoenix.
Although a series of minor league practice fields were incorporated in the City's Sportsplex, the Compadre Stadium site remains deserted.

GENERAL PLAN/AREA PLAN

The General Plan designates the subject site as Residential allowing for a range of residential densities based upon location and other criteria. The proposed residential overall density of approximately 4.60 dwelling units per acre is consistent with the General Plan. Additionally, the site falls within the 2,700-acre Ocotillo Area Plan. The Ocotillo Area Plan designates the subject site for the Compadre Stadium site, a Junior High School and future Employment along the southern side.

The request is for amendment the Ocotillo Area Plan from Compadre Stadium, Employment and Junior High School, to Single-family residential and Townhouse. Based upon the developmental evolution surrounding the subject site, the proposed area plan amendment provides a more appropriate development solution consistent with and more compatible with the surrounding area. Due to the site's proximity and level of quality, Echelon has been annexed into the Ocotillo Master Plan and will be included in the Ocotillo Community Association.

SUBDIVISION

The proposed Echelon at Ocotillo represents a resort style residential gated community that includes a series of three housing product types integrated around a central lake system. The request includes two detached single-family product types on approximately 54 acres and an attached townhouse product on approximately 15.75 acres. The large single-family 'Estate' product includes 84 72'x80' lots, while the 'Villa' product includes 97 52'x105' traditional single-family lots. Finally, the townhouse product includes 137 units.

The central lake system provides a visual terminus for the two primary gated boulevard entries, as well as a natural separation and organization for the three housing product types. The subdivision includes an extensive curvilinear street system further enhanced by the resort style highly amenitized open space system. Echelon provides approximately 26% open space that includes the lake system, an extensive pedestrian pathway network and three internal community parks featuring ramadas, a play pool, lap pool and spa, as well as outdoor fireplaces and play equipment. A direct pedestrian connection is provided to Snedigar Park along the southern edge. The resort style theme draws from the Spanish Mission vernacular so prevalent in the Ocotillo community. The theme is carried throughout Echelon from the landscape material and design, to the highly stylized walls and monumentation, all the way through to the building architecture.

ARCHITECTURE

The 'Estate' housing product features three floor plans with four separate architectural styles per plan in 15 color schemes. The all two-story housing product includes significant use of architectural treatments and single-story elements to break up the massing. Building square footages range from 3,500 to 3,700 square feet.

The 'Villas' housing product features three floor plans with three architectural styles per plan in 9 color schemes. The two-story housing product also includes significant use of single-story elements as well as highly developed architectural theming to provide an attractive and diverse housing product. Building square footages range from 2,600 to 3,000 square feet.

The 'Townhouse' housing product features attached housing units arranged in 3, 4, 5 and 6 unit buildings. All units feature 2-car garages and private entry courtyards. Unit square footages range from 1,539 to 1,875 square feet.
The Townhouse product provides two architectural styles. The building architecture provides the same level of stylized diversity found in the Estate and Villas product. Additional details for all three housing product types can be found in the Development Booklet.

Planning Staff supports the request. A review of the Development Booklet evokes a sense of detail overload. The highly stylized resort-style residential community brings a level of quality evident from the deep boulevard detailed gated entrances, to the articulate subdivision layout and lake system, to the diverse community amenity package, through to the highly stylized building architecture. The proposal remains responsive to the existing adjacencies such as the lack of homes backing onto the Basha's facility or the Snedigar Park dog park, as well as the continuation of the lush meandering landscape edge along Alma School and Ocotillo roads. While the acknowledgement of the now decade-old Compadre Stadium spring training departure reminds us of a time gone by, the proposed Echelon at Ocotillo residential subdivision represents a superb redevelopment that pushes the 'bar' universally expected within Ocotillo.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with neighborhood meetings being held on December 12, 2013, with 23 neighbors in attendance, April 1, 2014 with 15 neighbors in attendance and May 5, 2014 with 5 neighbors in attendance. The collective consensus was supportive of the request. A question was raised regarding a potential for a traffic signal at Balboa Way.

Following the neighborhood meeting, the applicant conducted a traffic impact analysis for the subject site including a warrant analysis for Balboa Way. A nearby home owner was concerned that with the additional traffic from the currently under construction fitness facility west of Alma School Road, coupled with traffic from the proposed Echelon community, that the Balboa Way intersection would become dangerous. The study was completed and submitted to the Transportation and Development Department for review. The study concluded that the intersection does not approach the warrants necessary for signalization both today, nor after the inclusion of traffic from the fitness facility or the Echelon development. Even when studied in the A.M. and P.M. peak hours alone, the traffic volumes through the intersection do not and are not projected to come close to necessitating a signal. City Staff met with the concerned neighbor to discuss the concerns as well as the study's findings. Staff did agree to conduct follow up studies to ensure the impact analysis findings remain accurate following construction.

Following the neighborhood meetings, Planning Staff has received a series of phone calls from nearby residential property owners. Many calls were in support, several simply sought housing product information and two conveyed concerns with future traffic along both Alma School and Ocotillo roads. Planning Staff has received an email in support from the Ocotillo Community Association as well as an email in opposition from a nearby resident.

Planning Staff is not aware of any formal opposition to this request.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioner Baron abstaining.

A nearby resident spoke in opposition to the request. The resident characterized the property as a 'jewel' and offered alternative development solutions for the site such as private/public partnership, recreational opportunities or a youth tech park. The resident also submitted an email.

RECOMMENDED ACTIONS

Area Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

Rezoning

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "ECHELON AT OCOTILLO" kept on file in the City of Chandler Planning Division in File No. DVR13-0045, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) perimeter walls and the Director of Transportation & Development for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

Preliminary Plat
The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

MR. PAUL HODGES, 4580 S. Fresno, Chandler, stated he is in opposition of the rezoning of the property known as Echelon. He had three points to address his opposition of the rezoning they are:

- This area is a jewel of the property and community – it brings both the retirement community of sun lakes together with the active community of Fulton Ranch and Ocotillo, and the youth in the area. It unites a wide range of demographics in the surrounding area.
- It pays homage to the Council's predecessors – the vision that was originally sought for this area and he would like to see it kept.
- Sustainability – The city plan talks about innovative land uses. This area is a prime example of that idea. It has the potential of keeping that uniqueness. He stated a residential community will never ask to be converted into agriculture use, this area should be kept as unique as possible.

13. <u>MEMORANDUM OF UNDERSTANDING</u>: Tempe Tourism Office

APPROVED a Memorandum of Understanding (MOU) with the Tempe Tourism Office (TTO) for a joint marketing agreement to continue the Sunny Arizona marketing campaign to promote the City of Chandler and the City of Tempe as a single destination and to be largely funded by the Proposition 302 Maricopa County Grant and authorized the City Manager, or his designee, to sign the MOU and related documents as approved by the City Attorney.

BACKGROUND
For the past ten years, Staff has collaborated with the TTO on the development of a regional, multi-layered marketing campaign referred to as Sunny Arizona. This campaign promotes the two communities as a preferred destination to American Automobile Association (AAA) and Canadian Automobile Association (CAA) members and travel agents in key feeder markets. The joint partnership with the TTO has provided an opportunity to leverage limited marketing dollars and focus promotional activities to individuals who are more likely to visit the metro-Phoenix area and looking for warm climate vacation destinations.

City Staff and the TTO have finalized their FY 2015 program of work to include 12 print advertisements in AAA member publications, an updated Sunny Arizona Family Guide, participation in three trade shows, four dedicated sales missions, postage for bulk mailings, a joint website presence and media support for hosting journalists on assignment to cover Sunny Arizona. The anticipated total for the FY 2015 campaign is $130,000.00 and would be split equally between the two communities, for a total of $65,000.00, per city, not including travel expenses for the sales missions, trade shows and costs associated with hosting media for familiarization visits to Sunny Arizona.

The TTO manages a checking account, separate from TTO accounts, in the name of Sunny Arizona from which all payments are issued for the joint marketing campaign. This account was opened when Sunny Arizona was initially launched by the participating communities in 2003 and found to be an efficient way of managing the program. All partners pay their share and expenses are monitored by all partners, while invoices and payments are facilitated by the TTO upon mutual agreement. The account is audited by the TTO.

For the bulk of this campaign, the City of Chandler would utilize Maricopa County Prop 302 Grants for all the expenses identified on the attached spreadsheet for a sum of $65,000.00. Travel expenses, and expenses not identified on this sheet, would be covered by Chandler's Tourism's Operating budget, solely for Chandler's portion.

Proposition 302 Maricopa County Grant is available to destination marketing organizations within Maricopa County and is administered by the Arizona Office of Tourism. Proposition 302 was passed in November of 2000. The purpose of this grant program is to provide funding for new and expanded tourism marketing activities such as advertising, public relations and travel industry marketing, where the primary function of the project must be tourism promotion. Tourism promotion is defined as the intent to drive overnight visitation to a respective community.

14. DISBURSEMENT: Chandler Lions Club

AUTHORIZED the disbursement of FY 2014-15 ongoing funds in the amount of $35,000.00 and one-time funds in the amount of $15,000.00 to the Chandler Lions Club for the 4th of July Celebration.

BACKGROUND
The Chandler Lions Club, in partnership with the City of Chandler, has been organizing and producing the 4th of July Celebration over the past ten years. Initially, the event was held downtown and it is estimated that over 40,000 attendees came to see this event. Since moving the event to Tumbleweed Park, over 100,000 attendees now enjoy this free event. The funds needed to organize and implement a large event such as this are collected from a number of various organizations. The City's contribution to this effort will once again allow the Chandler Lions Club to put on an amazing 4th of July Celebration for the community. To mirror the

Chandler Lions Club's efforts in organizing such a large-scale event for the community, it would cost the City over $90,000.00 without sponsorship.

In 2013, the Chandler Lions Club declined sponsoring the event due to financial struggles. For 2014, they have recommitted themselves to producing the event and restoring it to the level it was in 2012.

As part of the FY 2007-08 budget amendment process, Council awarded ongoing funding in the amount of $35,000.00 for the Chandler Lions Club 4th of July Celebration. As part of the FY 2014-15 budget process, Council awarded one-time funding in the amount of $15,000.00 for the Chandler Lions Club 4th of July Celebration.

15. LEAGUE OF ARIZONA CITIES AND TOWNS MEMBERSHIP DUES

AUTHORIZED the payment of FY 2014-15 membership dues to the League of Arizona Cities and Towns in the amount of $88,250.00.

BACKGROUND
The City of Chandler is an active member of the League of Arizona Cities and Towns. Each year, cities are assessed annual dues based on a per capita formula and minimum base fee. For cities with populations over 200,000, the dues for FY 2014-15 are capped at $88,250.00. This is the third consecutive year dues have been capped at this amount.

The League works closely with the City's Intergovernmental Affairs Coordinator in providing legislative and lobbyist assistance to its member cities. When the issue is of statewide concern, the League will take the lead position freeing up the time for the City's Intergovernmental Affairs Coordinator to focus on issues of concern to citizenry. As has been evidenced, this assistance is critical during the legislative session and allows for cities to work together on issues of regional and municipal interest.

16. WORKERS' COMPENSATION EXCESS COVERAGE INSURANCE

AUTHORIZED the renewal of workers' compensation excess coverage insurance in the amount of $188,556.00.

Excess Workers' Compensation insurance is carried through Safety National. The City, through the Chandler Workers' Compensation & Employer Liability Trust, is self-insured for the first $600,000.00 of loss for workers' compensation claims. The City purchases coverage to protect against catastrophic loss above $600,000.00.

The premium for fiscal year 2012-13 was $131,776.00 and the premium for fiscal year 2013-14 was $150,125.00.
The increases in premiums over the years are reflective of the rising medical costs coupled with the City's worker's compensation claims experience and the desire to maintain the threshold of $600,000.00 in order to mitigate the impact of catastrophic claims to the Workers Compensation Employer Liability Trust.

17. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Industrial Development Advisory Board

Victor Napolitano

Municipal Property Corporation
Victor Napolitano

18. AGREEMENT: Chandler Regional Medical Center

APPROVED an emergency base hospital agreement with Dignity Health dba Chandler Regional Medical center for paramedic on-line medical supervision and administrative medical control.

BACKGROUND/DISCUSSION
Per Arizona law and rule, all Certified Emergency Paramedics must work under the license of a physician for on-line medical supervision. Administrative medical control must also be provided by a physician for the Department's emergency medical program. Acceptance of this agreement satisfies the requirement for oversight and direction with regards to on-line medical supervision and administrative medical control.

19. AGREEMENT AMENDMENT: The Artisan Group, LLC

APPROVED Agreement No. ST3-988-3141, Amendment No. 1, with The Artisan Group, LLC, for Revegetation – Storm Damage – Maintenance of City Streets, for a two-year period, in an amount not to exceed $350,000.00 per year.

20. AGREEMENT: Central Construction Co.

APPROVED Agreement No. ST4-914-3365 with Central Construction Co., for Crestview Wall Repairs, in an amount not to exceed $129,964.66.

The City maintains a turf green space within the Crestview subdivision from South Oak Street to just beyond South Elm Street, south of West Cindy Lane. Over the years, the City's sprinklers have, in part, been a cause of the wall deterioration. The City has plans to relocate the existing sprinkler heads away from the wall and to add a 6-foot wide decomposed granite buffer, plus a header curb to serve as separation. This will provide a buffer between the wall and irrigated turf. The City plans to repair the 2,700 linear feet of wall, paint both the inside and outside of the wall and graffiti-coat the City side of the wall. As part of this project, the City plans to add decomposed granite to the adjacent El Paso Easement (53,000 square feet) which is west of Oak Street.

21. AGREEMENT: Purchase of Water Chemicals

APPROVED Agreement No. MU4-885-3350 to Hill Brothers Chemical, Brenntag Pacific, Inc., Univar USA, Thatcher Company of Arizona, Charlie Pepper, Inc., Polydyne, Inc., Kemira Water Solutions, Inc., Environmental Compliance Resources, LLC, Waternuts Aquatic Ent, Inc., dba Commercial Pool Repair, Chemtrade Chemicals US, LLC, Cal-Pacific Carbon, LLC, and BASF Corporation, for the purchase of water treatment, wastewater treatment and swimming pool chemicals, for one-year, in a total combined amount not to exceed $7,164,000.00.

22. AGREEMENT AMENDMENT: Valleywide Generator Service

APPROVED Agreement No. MU3-936-3112, Amendment No. 1, with Valleywide Generator Service for generator maintenance, for a two-year period, in a total amount not to exceed $335,210.00.

23. PURCHASE: T-Mobile

APPROVED the purchase of mobile communication services and equipment from T-Mobile, utilizing the State of Arizona/Western States Contracting Alliance (WSCA) contract #ADSPO13-034339, in an amount not to exceed $72,545.00.

The City has been purchasing shared minute cellular services from Sprint/Nextel from October 2009 through April 2013. Beginning in May 2013, the City switched to T-Mobile for these services. Since the migration to T-Mobile, the City has reduced annual mobile communication expenditures by 51.2% for a total annual savings of $76,020.00.

24. PURCHASE: CDW-G

APPROVED the purchase of Motion Computing Tablet Computers from CDW-G, utilizing the National Joint Powers Alliance (NJPA) contract #111309-CDW, in an amount not to exceed $128,901.00.

The City has made great efforts in standardizing computer equipment purchases to ensure compatibility and supportability which reduces maintenance and repair costs. The City brought in ruggedized tablet computers from various manufacturers and City Staff in multiple departments tested these devices it the field. The result of this field testing was the selection of Motion tablet PCs as the City standard for ruggedized tablets. With this selection, the Municipal Utilities, Management Services and Transportation and Development departments have a need to purchase these devices for their departmental operations. Field testing of the ruggedized tablets has proven that they are a better fit for field operations than traditional ruggedized laptops in several instances.

The following is a list of Department/Divisions and the number of tablets to be utilized:

- Municipal Utilities/Distribution — 13 tablets
- Municipal Utilities and Information Technology — 4 tablets
- Municipal Utilities/Solid Waste Services — 7 tablets
- Management Services/Tax & License — 1 tablet
- Transportation & Development/Capital Projects Div — 8 tablets

25. PURCHASE: Braun Northwest, Inc.

APPROVED the purchase of a fire rescue vehicle from Braun Northwest, Inc., utilizing the Houston-Galveston Area Council Contract, in an amount not to exceed $168,824.83.

The Fire Department recently created and adopted a new deployment model as part of the Department's Community Health Service Delivery Model. The new model establishes two-person rescue units that will respond to low acuity medical calls. The vehicle that is being purchased from Braun Northwest will be part of this deployment model as an "all hazard" rescue vehicle. The vehicle will have primarily medical response capabilities and some minimal firefighting/rescue response capabilities.

26. PURCHASE: Traffic Paint

APPROVED the purchase of waterborne fast dry traffic paint from Ennis Paint Inc., utilizing State Contract No. ADSPO13-026307, and from Sherwin-Williams Corporation, utilizing State Contract No. ADSPO13-026308, in a combined total amount not to exceed $125,000.00.

27. PURCHASE: Trafficade Work Zone Services

APPROVED the purchase of 2,174 street name signs from Trafficade Work Zone Services, utilizing State Contract No. 14-061415, in a total amount not to exceed $105,526.11.

The City of Chandler is revising the standard for street name signs to be in compliance with federal standards. The new street name signs are required to be two inches taller than the current standard and will use a Clearview font with upper and lower case letters for improved legibility.

Traffic Engineering applied for and received a 100% federally funded Highway Safety Improvement Program (HSIP) grant in 2012 for the manufacture of 2,174 new signs. Following the grant award, these signs will be manufactured by Trafficade Work Zone Services. They will be installed in south Chandler by City Staff and replace all existing street name signs, many of which are faded and in need of replacement. The street name signs in the north half of the City (from Pecos Road north) were replaced several years ago by City Staff as part of an on-going ten-year sign replacement program and will not need replacement for several more years. All future street name sign installations and repairs will use the new federal standards.

28. SPECIAL EVENT LIQUOR LICENSE: Arizona Border Collie Rescue

APPROVED a Special Event Liquor License for Arizona Border Collie Rescue for their fundraising event, Beer Tasting for Arizona Border Collie Rescue, September 20, 2014, at Chandler Harley Davidson, 6895 W. Chandler Boulevard. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

30. EMPLOYMENT AGREEMENT : Presiding City Magistrate R. Michael Traynor.

This item was withdrawn.

ACTION:

29. CITY CHARTER AMENDMENT: Council Terms Res. #4782

Resolution No. 4782 ordering the submission of a proposed City Charter amendment to the voters at the November 4, 2014, General Election, regarding the number of consecutive terms allowed for the office of Councilmember and the commencement dates for the office of Mayor and Councilmember.

The amendment proposes a change to Section 2.01 by changing the amount of consecutive terms a councilmember can serve from two to three. It also amends language that changes the month the mayor and council term commence to align with the current election dates.

Councilmember Sellers stated the proposed Resolution would align the term limits of Councilmembers to similar cities. Council is not voting to adopt the change, they are voting to allow the issue to be on the ballot so the voters could choose whether to change the term limits.

Mayor Tibshraeny asked Councilmember Sellers to address what is being asked with the Resolution.

Councilmember Sellers stated if the Resolution is passed by Council tonight, the issue of changing the term limits for a Councilmember would be on the November 4th General Ballot. The change to the City Charter would be in the number of consecutive terms someone could serve on Council. It would change from 2 consecutive 4-year terms to 3 consecutive 4-year terms and changes the commencement date for the seat due to changes in the election process recently adopted by the State legislature.

COUNCILMEMBER WENINGER stated Chandler has an incredible Council. If there had been the ability to serve 3 consecutive 4-year terms, this Council may not exist today. There could have been a time when the Council was not so cohesive. He stated he would be voting no on this item.

COUNCILMEMBER ELLEN stated she had the same sentiments as Councilmember Weninger. There are a lot of people who would like to serve the City and 8 years is long enough to serve. She provided a brief history of proposed changes to the Council terms in which the terms for Councilmembers specifically, were always voted down. She did not believe in taking this issue back to the voters who have already expressed their decisions several times. She stated her intent to vote no.

COUNCILMEMBER HARTKE stated Chandler and the surrounding community has grown significantly, and is part of a larger picture. In order to ascend to a leadership position within larger organizations that impact the City can take 6+ years. Chandler is in competition and coordination with the surrounding cities. He believes the community should have the opportunity to review the proposed change and vote on it.

MOVED BY Councilmember sellers, seconded by councilmember Heumann, TO APPROVE THE RESOLUTION.

MOTION CARRIED (5-2), with Councilmembers Weninger and Ellen voting no.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor announced the utility billing system is offline and the department at City Hall is closed until Monday, June 30th for an upgrade and enhanced billing and payment system.

He announced Chandler's 4th of July Fireworks celebration will be held on Friday, July 4th at Tumbleweed Park.

B. Councilmembers' Announcements

Council extended wishes for a Happy 4th of July, and congratulations to Councilmember Donovan on the birth of her daughter.

COUNCILMEMBER SELLERS announced he welcomed 850 delegates to the General Federation of Women's Club held in Chandler on June 21st.

Mr. Sellers added that at the June 25th Maricopa Association of Governments (MAG) meeting, he was chosen to be chair of the Transportation Policy Committee and that night at the Desert Peaks Award ceremony, he and the Mayor accepted three awards for the City.

VICE MAYOR HEUMANN announced the City is still holding its water drive for the summer. Water is on sale at many grocery stores and donations can be dropped off at the City. He wished his wife a happy birthday on July 4th.

COUNCILMEMBER DONOVAN welcomed her new daughter, husband, and mother in the audience tonight.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:39 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: July 7, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 26th day of June 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 8 day of July, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, July 7, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:01 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember*
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember*
	Jeff Weninger	Councilmember

* Councilmember Donovan participated by phone, and Councilmember Sellers was absent and excused.

Also in attendance:	Nachie Marquez	Assistant City Manager
	Marsha Reed	Acting City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Councilmember Hartke gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Weninger led the Pledge of Allegiance.

CONSENT:

VICE MAYOR HEUMANN asked staff to briefly cover the major features of the old steel facility infill project that is underway. KEVIN MAYO, Planning Manager, briefly highlighted some of the features of the development. The 6.7 acre site will have 301 luxury apartment units. This development has 40 units per acre compared to most complexes which have 18 units per acre. Because this development is being built on the old steel facility site, the architecture reflects that urban industrial theme.

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COUNCILMEMBER HARTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (6-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Special Meeting of June 23, 2014.
1b. Study Session of June 23, 2014.
1c. Special Meeting of June 26, 2014.
1d. Regular Meeting of June 26, 2014.

2. REZONING: Foothills Community Church Ord. #4546

ADOPTED Ordinance No. 4546, DVR13-0044 Foothills Community Church, rezoning from Planned Area Development (PAD) for Industrial uses to PAD for a church located north of the NWC of Hamilton Street and Pecos Road.

3. REZONING: Echelon @ Ocotillo Ord. #4547

ADOPTED Ordinance No. 4547, DVR13-0045 Echelon @ Ocotillo, rezoning from Planned Area Development (PAD) for Compadre Stadium and Agricultural District (AG-1), to Planned Area Development (PAD) for single-family residential and townhouse at the SEC of Alma School and Ocotillo roads.

4. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Alta Chandler Ord. #4553

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4553, DVR14-0010, Alta Chandler, rezoning from Regional Commercial District (C-3) to Planned Area Development (PAD) for Multi-Family Residential including a Mid-Rise Overlay for buildings up to 56 feet in height located at the SEC of Frye Road and Washington Street. (Applicant: Nick Wood, Esq., Snell & Wilmer, LLP.)
APPROVED a Preliminary Development Plan (PDP) for site design and building architecture for an apartment development on approximately 6.7 acres located at the SEC of Frye Road and Washington Street.
APPROVED Preliminary Plan PPT14-0007, Alta Chandler, for site design and building architecture for an apartment development located at the SEC of Frye Road and Washington Street.

BACKGROUND
The subject site is comprised of a series of parcels totaling approximately 8 gross acres. The site is bordered by Frye Road to the north, Folley Street to the south, Delaware Street on the east and Washington Street to the west. To the north is the Maricopa County justice Court, as well as smaller light industrial buildings. A City of Chandler park, single-family residential and a commercial building are located south of Folley Street. West are various commercial buildings, single-family homes and vacant lots zoned Regional Commercial District (C-3). To the east is an existing flooring company and vacant lots also zoned C-3.

The subject site, owned by Dunn-Del Re, commonly referred to as the CMC steel site, formerly contained a steel yard metal fabrication and supply company. The site is currently abandoned.

GENERAL PLAN/AREA PLAN
The General Plan designates the subject site as located within the South Arizona Avenue Corridor Area Plan (SAZACAP) The Area Plan specifically highlights the subject site (Steel Yard) as 'four blocks on the south side of Frye Road anticipated to be developed by a single developer'. The Area Plan continues by identifying the subject site as planned for multi-family residential focused on Frye Road, encouraging high density residential greater than 18 dwelling units per acre. The subject rezoning request is consistent with the General Plan and SAZACAP.

SITE DESIGN
The site design responds to the urban strategies outlined in the Area Plan by engaging the 4-story residential buildings right up against the street frontages. The inclusion of parallel on-street

parking and adjacent 8-foot sidewalks create the inviting pedestrian-friendly environment encouraged by the South Arizona Avenue Design Guidelines. The primary gated entrance is centrally located along Frye Road. Secondary access is provided along Delaware Street. The buildings' organization naturally internalized the on-site parking.

A total of 301 residential units are provided. The 190 one-bedroom units range in size from 640 sq. ft. to 904 sq. ft. The 107 two-bedroom units range in size from 1,002 sq. ft. to 1,284 sq. ft. The 4 three-bedroom 'penthouse units' are approximately 1,726 sq. ft. The units are located within 5 buildings, three 4-story buildings and two 3-story buildings. A total of 462 parking spaces are provided through a combination of 209 carport spaces, 93 garage spaces, 68 tandem spaces and 57 open stall spaces, as well as 35 on-street parking spaces for visitors.

ARCHITECTURE

The request includes a Mid-Rise Overlay for buildings up to 65 feet in height. Although the exhibits indicate a maximum building height of approximately 55 feet, the request maximum of 65 feet is intended to account for any unforeseen parapet height change due to the mechanical equipment screening.

The buildings portray a modern industrial urban theme through the use of geometric architectural massing changes, masonry and steel elements, and deep contrasting gray and earth-tone colors accented with red. The first-floor private courtyards are brought right out to the property lines engaging the residents with the street experience, while creating a pedestrian scale to the 4-story buildings.

The project signage will include individual metal lettering mounted atop Building 1's Frye Road/Washington Street corner tower element. Additionally, a corner vertical project sign, utilizing metal lettering, will be located on this corner as well. Final details will be reviewed administratively through Planning Staff.

STAFF RECOMMENDATION:

Planning Staff supports the request. The General Plan and SAZACAP identify the subject site specifically for this type of re-development land use solution The 40 dwelling units per acre is precisely the level of residential density encouraged by these guiding documents. Furthermore, the design team has delivered a proposal that is consistent with the urban design objectives found within the south Arizona Avenue Design Guidelines. The building architecture represents a unique urban industrial approach that provides Alta Chandler with a sense of identity yet correlates with the eclectic diversity anticipated within the downtown re-development area. The public right-of-way building engagement, internalized on-site parking, and adjacent on-street parallel parking all promote the desired urban sense of place, all while providing a significant re-development catalyst for the southern end of Downtown Chandler.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with neighborhood meetings being held on May 13 & 15, 2014. There were approximately 10 neighboring property owners in attendance at each meeting seeking information and did not convey any opposition. Concern was expressed regarding the potential gentrification of the surrounding area. Several attendees submitted comment cards in support of the request. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioner Baron abstaining and Commissioners Cunningham and Donaldson absent.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "ALTA CHANDLER" kept on file in the City of Chandler Planning Division in File No. DVR14-0010, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

Preliminary Plat

The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

Mayor Tibshraeny stated Current Events would be made at the next meeting.

Adjournment: The meeting was adjourned at approximately 7:08 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: August 11, 2014.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 7th day of July 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 11 day of August, 2014.

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, July 10, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:04 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	*Rick Heumann	Vice-Mayor
	*Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

* Vice Mayor Heumann and Councilmember Donovan participated by phone.

Also in attendance:	Nachie Marquez	Assistant City Manager
	Marsha Reed	Acting City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Reverend Denise Burns – First Church of the Nazarene

PLEDGE OF ALLEGIANCE: Councilmember Hartke led the Pledge of Allegiance.

CONSENT:

Mayor Tibshraeny noted the continuation request for Item No. 25 (Hurricane Grill & Wings Liquor License).

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER SELLERS, to approve the Consent Agenda as presented, noting that Item No. 25, Liquor License for Hurricane Grill & Wings, will be continued to the August 14th meeting.

VICE MAYOR HEUMANN noted he would be voting no on Item number 6.

COUNCILMEMBER WENINGER requested Municipal Utilities Director Dave Siegel provide a brief summary on agenda item number 5. Discussion is noted under that item.

MOTION CARRIED UNANIMOUSLY (7-0), with the exception noted.

1. REZONING: Alta Chandler Ord. #4553

ADOPTED Ordinance No. 4553, DVR14-0010, Alta Chandler, rezoning from Regional Commercial District (C-3) to Planned Area Development (PAD) for Multi-Family Residential including a Mid-Rise Overlay for buildings up to 56 feet in height located at the SEC of Frye Road and Washington Street.

2. POWER TRANSMISSION EASEMENT: Salt River Project Ord. #4488

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4488 granting a no-cost power transmission easement to Salt River Project (SRP) along the north side of Riggs Road fronting the Ironwood Country Club.

BACKGROUND/DISCUSSION
When Riggs Road was widened between Alma School Road and Arizona Avenue, SRP was required to relocate their 69kV lines to the north side of Riggs Road. To accommodate their relocated facilities, SRP is now requesting a power transmission easement along the north side of Riggs Road fronting the Ironwood Country Club. This easement will be approximately 1,200 feet long and will contain approximately 35,834 square feet of land. SRP will extinguish their existing 47,520 square-foot easement along the south side of Riggs Road. Extinguishing the existing SRP easement will leave the traffic lanes on Riggs Road unencumbered. The majority of the remaining land rights along Riggs Road required by SRP are being processed by the Maricopa Department of Transportation.

SRP has advised Staff that a second 60kV circuit may be installed on this line of poles to increase their capacity and ability to service the area.

Staff has reviewed and approved the legal descriptions for the requested easement.

3. ZONING AMENDMENT: Thorobred Wrestling Club Ord. #4549

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4549, DVR14-0016 Thorobred Wrestling Club, amending the Planned Area Development (PAD) zoning for Planned Industrial District (I-1) uses to allow an instructional sports and athletic training facility use in Unit 14 of Building M within the Paloma Kyrene Business Community located south of Chandler Boulevard on the west side of Kyrene Road at Gila Springs Place. (Applicant: Ed Bull, Burch & Cracchiolo, P.A.)

BACKGROUND
The subject site is a developed light industrial business park with a mix of two light industrial warehouse condo buildings and general/medical office condo buildings A vacant lot at the west end is planned for self-storage use. West of the development is General Industrial (I-2) development; north is a commercial retail shopping center; east is Kyrene Road and single-family residential and south is Gila Springs Place and a new light industrial business park under construction.

The Paloma Kyrene Business Community development was zoned Planned Area Development (PAD) in 2005. Uses permitted include general/medical office and limited retail support along Kyrene Road. The western half of the development includes two warehouse buildings, Buildings M and N, for Planned Industrial (I-1) uses allowing 85% light industrial with 15% support general office in each condo. Two zoning amendments for the entire Paloma Kyrene Business Community were approved in 2009 and 2011 to allow instructional sports and athletic training facility uses only in Building M. The amendments limit these uses to a maximum of 8,500 square feet. This square footage is occupied with a fencing school and a sports/fitness training business.

The request is to amend the PAD zoning for only Unit 14 in Building M to allow an additional instructional sports and athletic training facility use.

The request does not seek to change the prior PAD zoning amendments related to the entire development or change the zoning condition in place limiting a total of 18,500 square-feet for such uses in Building M. The request is limited solely to Unit 14 to allow an additional 5,000 square-foot instructional sports and athletic training facility use. The specific use is a wrestling club that includes practice, training and occasional clinics/camps/small competitions for youth athletes.

The definition of "instructional sports and athletic training facilities" for this particular development is facilities that focus on the instruction, training and related activities of a particular sport or field of sports. Examples include, but are not limited to, baseball, softball, fencing, martial arts, swimming, gymnastics, cheerleading and dance. Uses such as dog training, child-oriented party places such as inflatable bounce facilities, gaming and the like are not permitted as these are not deemed sports and athletic related uses. The facilities are anticipated to host competitive events, which are limited to weekday evenings after 5:30 p.m. and anytime during weekends and national holidays. Events will be planned so as not to interfere with other businesses in the business park. There will be no outdoor training permitted in conjunction with these uses. The wrestling club agrees to zoning conditions within the development limiting occurrences of competitive events and no outdoor training.

The wrestling club primarily operates in the late afternoon to evening Monday through Friday with a maximum of approximately 40 people. Saturday hours are morning to late afternoon and Sunday afternoons. Occasional events may have approximately 70 people.

The development has shared parking with a ratio for the instructional sports and athletic training facilities uses at 1 space per each 333 square feet of building area (1/333). The site currently provides approximately 620 parking spaces. Based on a parking study in 2011, at 5 p.m., approximately 145 parking spaces are available in the development and at 6 p.m., approximately 365 parking spaces are available as most businesses close after 5 p.m. Through the proposed shared parking analysis, it is understood that the whole development will not operate at the same time. Instructional sports businesses operate mostly off hours from other businesses including the weekends thus parking is available when they operate.

DISCUSSION

The Planning Commission and Planning Staff support the proposed PAD amendment finding the additional 5,000 square feet of instructional sports and athletic training facilities to be compatible with the industrial business park. The addition of a wrestling club within Unit 14 of Building M does not represent a conflict with any of the approved uses. The requested amendment would allow up to 23,500 square feet of total building area to be occupied with instructional sports and athletic training facilities in Building M.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the City of Chandler Zoning Code. A neighborhood notice was mailed due to no residential within proximity of the subject condo space. Planning Staff is not aware of any neighborhood opposition or concerns with this request.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Donaldson absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

4. CONTINUED REZONING & PRELIMINARY DEVELOPMENT PLAN: Chandler Viridian Ord. #4551

CONTINUED TO AUGUST 11, 2014, Introduction of Ordinance No. 4551, DVR14-0012 Chandler Viridian, rezoning from Planned Area Development (PAD) Commercial and Multi-Family to PAD Commercial and Multi-Family located at the SWC of the Loop 101 Freeway and Frye Road to finalize development details.
CONTINUED TO AUGUST 11, 2014, Preliminary Development Plan (PDP) on approximately 26 acres for a mixed-use development including Office, Hotel, Commercial and Multi-Family Residential uses located at the SWC of the Loop 101 Freeway and Frye Road to finalize development details.

5. CITY OF CHANDLER RECLAIMED WATER CONVERSION PROGRAM Res. #4777

ADOPTED Resolution No. 4777 authorizing the City of Chandler Reclaimed Water Conversion Program for Homeowners' Associations; accepting the terms and conditions of the Program documents; and authorizing the Municipal Utilities Director to execute the Program documents on behalf of the City of Chandler.

DISCUSSION:
COUNCILMEMBER WENINGER stated the idea came to him after a resident approached him concerning reclaimed water and the ability for neighborhoods to convert over to using reclaimed water for irrigating their common areas. The idea would be to assist these neighborhoods with the up front costs, but overall, the city would be reimbursed.

MUNICIPAL UTILITIES DIRECTOR DAVE SIEGEL stated they had been working closely with the City Attorney, Management Services, and Transportation & Development to devise an implementation plan. He spoke of the presentation made in the Fall of 2013 and highlighted some of the options in the plan. The plan would be available to HOA's that were homeowner controlled, not developer controlled; the City could offer a maximum loan of $50,000 with maximum payback time of 5 years, and there would be an application process. The average connection cost is estimated between $35,000 and $50,000.

Mr. Siegel stated the Capital Improvement Plan (CIP) budget has $250,000 set aside to fund the program for the first year. The funds would be used to retrofit and install a service line from the reclaim water line into the HOA's potable water irrigation system. To be eligible the HOA would have to have paid their Chandler utility bills on time over the last few years, and they would have to be in good financial standing.

There are an estimated 20 HOAs that could utilize the program, and out of those 20, it would appear there are 15 HOA's that could have a water savings between 3 million gallons up to 12 million gallons per year. It is becoming more and more expensive to purchase new water, so there are significant benefits for both parties.

In response to questions from Mayor Tibshraeny, Mr. Siegel said potable water is roughly 2 to 3 times more expensive than reclaimed water. The reclaimed area is south of Pecos Road and from Price Road over to the eastern city limits. Mayor said he would like to get a map of trunk lines. Mr. Siegel added that once construction is complete on an infill project, reclaimed will be available in front of most properties on the main roads.

VICE MAYOR HEUMANN reiterated the need to verify the financial stability of the HOA's if applying to participate in this program.

In response to a question from Councilmember Weninger, Mr. Siegel said a press release will be sent, and correspondence will be sent to the 20 HOA's that are eligible.

BACKGROUND

The City of Chandler has constructed a reclaimed water distribution system as a means to re-use its water resources. Reclaimed water is used to irrigate landscaped areas and is a vital component of the City's water conservation efforts. The distribution system provides reclaimed water to the majority of areas south of Pecos Road and east of Old Price Road within the City limits.

There are subdivisions within this area that were built before the reclaimed water distribution system was completed and are currently using potable water to irrigate their common areas. Several of these subdivisions were also required to install infrastructure for the delivery of reclaimed water within their community. However, the turnout structure required to connect to the City could not be built until the reclaimed water distribution system was in place. A number of Homeowner Associations (HOAs) have expressed interest in undertaking these conversions, but the initial cost of the turnout structure and related work has been a concern to them. Converting common areas from potable to reclaimed irrigation would save the City future water costs and aid in HOAs experiencing lower water bills as reclaimed water rates are significantly less than potable.

The Chandler Reclaimed Water Conversion Program for HOAs will assist HOAs with funding the cost of the turnout structure construction and related costs required for the conversion. This program would provide a loan for up to $50,000, per HOA, for a term of no more than five years. Funding will be made available through the Municipal Utilities Department's FY 2014-15 Capital Improvement Program (CIP). Funding for the first year is $250,000, and applications will be accepted until funds are exhausted. The program will continue so long as the funds are available. HOAs will be required to provide a design with a cost estimate detailing the conversion project and sign a loan agreement, a Secured Promissory Note and a Deed of Trust, to be eligible for the program.

Staff briefed the Municipal Utilities Council Subcommittee on the framework for the proposed financing plan on September 26, 2013. The primary difference in the final proposal is that in addition to the loan agreement, there will be a Secured Promissory Note and a Deed of Trust.

FINANCIAL IMPLICATIONS

The City will obtain a financial benefit by replacing the use of potable water with the use of reclaimed water as potable water is more expensive to acquire. It is estimated that once the conversion is complete, the HOA would realize a savings ranging from $1.19 to $2.84 per one thousand gallons. This savings would vary depending on usage and summer versus winter rates.

6. JOINT PROJECT AGREEMENT: ADOT Res. #4779

VICE MAYOR HEUMANN VOTED NAY ON THIS ITEM.

ADOPTED (6-1) Resolution No. 4779 authorizing a Joint Project Agreement with the Arizona Department of Transportation (ADOT) for an airport pavement preservation project and authorizing

the City Manager to sign the Agreement and related documents upon their approval as to form by the City Attorney.

BACKGROUND/DISCUSSION
ADOT's Multimodal Planning Division evaluated and rated the pavement conditions for each of the State's public airports in 2010 and 2013. Based upon their findings, maintenance options such as crack seals and overlays were scheduled for runways, taxiways and aprons at individual airports over a five-year period. These projects were based on pavement condition index (PCI) priorities and the program's funding. Findings determined Chandler Municipal Airport would benefit from the program and recommended a thin asphalt overlay and pavement markings on its Runway 4L/22R, Taxiway A and related connecting taxiways. Under this program, ADOT manages the procurement, engineering, construction administration and construction of the maintenance project.

AIRPORT COMMISSION REPORT
During their regular meeting on June 11, 2014, the Airport Commission voted unanimously 5-0 to forward a recommendation for approval to the City Council.

FINANCIAL IMPLICATIONS
The estimated total cost of completion of the pavement preservation project is $1,275,717, of which the City of Chandler will contribute 10% or $127,572 of the estimated cost from the Airport Capital Improvement account. ADOT will fund the balance.

7. AREA PLAN AMENDMENT / REZONING / PRELIMINARY DEVELOPMENT PLAN / PRELIMINARY PLAT: Lone Tree Res. #4783 & Ord. #4552

ADOPTED Resolution No. 4783, APL 14-0005 Springfield Lakes Area Plan Amendment/DVR14-0001/PPT14-0002 Lone Tree, Area Plan Amendment to the Springfield Lakes Area Plan, amending approximately 21 acres from Multi-Family Residential to Single-Family Residential located at the SWC of Riggs and Lindsay roads.
INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4552, DVR14-0001 Lone Tree, rezoning from Planned Area Development (PAD) for condominiums to PAD for single-family residential located at the SWC of Riggs and Lindsay roads.
APPROVED a Preliminary Development Plan (PDP) for subdivision layout and housing product located at the SWC of Riggs and Lindsay roads.
APPROVED a Preliminary Plat PPT14-0002 Lone Tree, for a 72-lot single-family residential subdivision located at the SWC of Riggs and Lindsay roads. (Applicant: Jason Hadley; Hadley Design Group, Inc.)

BACKGROUND
The 21-acre subject site located at the SWC of Riggs and Lindsay roads, is currently zoned PAD for condominiums. The site is located within both the Southeast Chandler Area Plan (SECAP) and the Springfield Lakes Area Plan. West of the site is the Lone Tree golf course as part of the master-planned Solera residential development. South are single-family homes as part of the Solera community and a City of Chandler well site. East is Lindsay Road with the Sun Groves single-family residential subdivision and a vacant commercial corner east of the arterial. North is Riggs Road with the Shadow Ridge commercial condominium development north of the arterial.

AREA PLAN AMENDMENT
The site is part of both the SECAP and Springfield Lakes Area Plan. Within both plans, the site is designated as supporting residential development, with the Springfield Lakes Area Plan further

restricting the site to age-restricted multi-family residential development. The Springfield Lakes Area Plan was adopted in 1998 and encompasses approximately 616 acres that cover the square mile bounded by Riggs Road, Gilbert Road, Lindsay Road and Hunt Highway. The SECAP was adopted in 1999 and designated the Springfield Lakes Area Plan as supporting traditional Suburban Character residential development. The request is to amend the area plan from multi-family residential to single-family residential. The request is consistent with the SECAP.

SUBDIVISION LAYOUT

Two points of access are provided for the subdivision, with the main entry located on Riggs Road and a secondary access on Lindsay Road. The development is gated, maintaining consistency with this portion of the Solera master planned community.

Two lot sizes are provided for the 72-lot subdivision and designed so that the varying lot sizes are in blocks. Lot sizes are 52' x 115' (5,980 sq. ft.) and 64' x 115' (7,360 sq. ft.). The lot sizes are consistent with the larger Solera community which has a lot size range of 45', 65' and 75' wide lots. With the addition of the request, the density for the entire Solera community is 2.9 dwelling units per acre, well within the allowed density range of the SECAP.

An outdoor amenity area is provided at the terminus of the Riggs Road entry. A walking path is provided along the eastern portion of the subdivision that winds its way through a block of homes connecting the eastern and western portions of the subdivision. Consistent with requirements in the SECAP, substantial landscape tract widths along Riggs and Lindsay roads are provided. Perimeter walls are designed to be consistent with the larger community.

HOUSING PRODUCT

Eight housing plans are provided with three elevation styles per plan. Four plans are provided for both lot widths ensuring diversity. Home design, general layout and architectural styles are consistent with the surrounding community. All homes are single-story. Square footage ranges from 1,573 up to 2,514 sq. ft.

DISCUSSION

Two site plans are presented for review and approval. The site plans are in response to the fact that the subject site is currently not incorporated into the surrounding Solera neighborhood as the site has held a multi-family designation since the establishment of the community. Since the request is to rezone the property to single-family, the developer is desirous to incorporate the community into the larger Solera community. The developer has been working with the homeowner's association (HOA); however, a majority vote from the community is required and has not yet been taken. The development team continues to work with both the HOA and interested residents.

The first site plan (preferred by Staff and the homebuilder), provides for a single point of access off of Riggs Road. This plan is proposed in the event that the subdivision is able to be incorporated into the larger community. Assuming that the site is incorporated within the larger community, the cul-de-sac that is located at the site's southwestern edge will be modified to allow through traffic. The second plan is designed in response to the subdivision proposal not receiving the necessary votes from the community to be incorporated and provides two gated points of access, one along each arterial street frontage. If the incorporation does not occur, then the cul-de-sac will remain as is. Both site plans meet development requirements.

It should be noted that the tabs indicating the product plans were mixed during the binding process; the number shown on the plans are the correct numbers. The booklets will be corrected in time for the Council meeting.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with neighborhood meetings being held on April 14 and June 9, 2014. There were 165 residents in attendance at the first meeting, generally in support of the request, and approximately 300 residents attending the second meeting. There was no direct opposition to the zoning request, but concerns were expressed regarding the development incorporating into the larger community and how additional residents may tax the neighborhood facilities. A third neighborhood meeting was held on June 14, 2014. An HOA vote on the incorporation into the Solera community has yet to be taken due to the seasonal nature of the community; however, the HOA has expressed initial support.

Planning Staff has received a couple of phone calls from residents supporting the request, but having concerns with the connection to the larger community. Planning Staff has not received and correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Cunningham and Donaldson absent.

During the Study Session, a Commissioner requested that in the event the cart storage garage option is chosen, a window be provided. The applicant has been unable to get the option included with the development booklet, but will have the option drawn for Planning Staff review during the permitting process.

RECOMMENDED ACTIONS

Area Plan

Upon finding consistency with the General Plan and SECAP, the Planning Commission and Planning Staff recommend approval.

Rezoning

Upon finding consistency with the General Plan and SECAP, the Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan and SECAP, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "LONE TREE", kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0001, except as modified by condition herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. Sign packages including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

Preliminary Plat
The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition

8. DEVELOPMENT AGREEMENT: Alta Steelyard Res. #4785

ADOPTED Resolution No. 4785 authorizing the execution of a Development Agreement for "Alta Steelyard" between the City of Chandler and PR III/Wood Chandler Apartments, LLC ("Wood Partners"), authorizing the use of the Government Property Lease Excise Tax (GPLET) and authorizing the System Impact Fees relating to park development be applied to a future planned park in the neighborhood to the south of the development.

BACKGROUND/DISCUSSION
In 2009, the CMC Steel plant closed its location at the SEC of Washington Street and Frye Road and placed the property for sale. In accordance with the South Arizona Avenue Corridor Study, which identified this property as future high-density residential, Staff began to work with the brokerage team to market the property. The completion of City Hall, and most recently the completion of ASU/TechShop, has been of benefit in providing justification for the planned development of the property.

Wood Partners is now in the process of purchasing the property to develop 301 high-density residential units. As part of their development requirements, Wood Partners is requesting that the City provide a 25-year GPLET rate, which is a provision in Arizona's Tax Code allowing for a specific dollar value per square foot assessment as opposed to the traditional assessment that is based on the value of the property. The current rate for high-density residential projects is $0.76 per square foot and is divided among all taxing jurisdictions as dictated by a formula outlined in the Statute. Further, because the site is located in both the City's existing Central Business District and the City's Redevelopment Area, this site will also be able to take advantage of an 8-year abatement on all Property Tax as part of the requested 25-year GPLET.

In accordance with City Code, the project will be responsible for paying all required System Impact Fees as permits are issued for the buildings. Wood Partners is requesting that the Park Impact Fees, in the amount of $675,444, be utilized for a future planned park.

As part of the Development Agreement, the City will provide water and wastewater pipelines to the project, as well as construct Washington Street from Frye Road to south of Elgin Street.

FINANCIAL IMPLICATIONS
Abatement of Property Tax for an 8-year period due to use of the GPLET program with property being located in both the Central Business District and a Redevelopment Area, and use of the GPLET program for up to 25 years. Construction of Washington Street and a water line from Frye Road to Elgin Street, through the FY 2014-15 Capital Improvement Program (CIP).

9. CONTRACT: Presiding City Magistrate R. Michael Traynor

APPROVED the contract for Presiding City Magistrate R. Michael Traynor with an annual base salary of $181,462.00 during fiscal years 2014-2015 and 2015-2016.

10. INTERGOVERNMENTAL AGREEMENT: State of Arizona Res. #4788

ADOPTED Resolution No. 4788 authorizing the Intergovernmental Agreement (IGA) with the State of Arizona for a Cooperative State Purchasing Agreement.

BACKGROUND
The State of Arizona's Procurement Office makes many of its contracts for materials and services available to other public agencies so that they may purchase needed items under the terms, conditions and pricing of the State's contract.

To be eligible to exercise the option to make use of the State's cooperative contracts, the State requires that each public entity enter into a Cooperative State Purchasing Agreement. The agreement commences upon execution for a term of five State Fiscal Years, concluding on June 30, 2019. It is the vehicle allowing the City of Chandler to purchase from state cooperative contracts, should its use be the best value for the City.
The agreement does not commit the City of Chandler to any cooperative use of the State's contracts and there is no cost to the City resulting from this agreement.

The previous IGA between the City and the State for this purpose has expired. The City has benefited in the past from the value that can be offered through the appropriate use of cooperative contracts. An expedited procurement process, the ability to standardize products and services, and the realization of savings based on total volume of purchase are a few examples of potential benefits.

Staff reviews the City's purchasing requirements on a case by case basis and makes a recommendation based on market research, historical information, compatibility of scope, lead time and customer needs.

11. WITHDREW PRELIMINARY DEVELOPMENT PLAN: Ocotillo Plaza Shopping Center

WITHDREW Preliminary Development Plan PDP13-0016 Ocotillo Plaza Shopping Center, for the addition of two commercial buildings, including a drive-thru, and PDP for a comprehensive sign package for the Ocotillo Plaza shopping center located at the NWC of Alma School and Queen Creek roads for the purpose of re-advertising based on last minute design modifications.

12. PRELIMINARY DEVELOPMENT PLAN: Ascend at Chandler Airport Center

APPROVED Preliminary Development Plan PDP13-0018, Ascend at Chandler Airport Center, for the conceptual site layout and conceptual building architecture for a business park on approximately 30 acres at the NWC of Germann and Cooper roads. (Applicant: Aaron Marty; Irgens Partners, LLC.)

BACKGROUND
The approximately 30-acre site is located at the northwest corner of Germann and Cooper roads in the Chandler Airport Center (CAC) master plan, receiving conceptual zoning approval in 2005. The 245-acre CAC master planned employment center straddles both sides of Cooper Road south of the Santan Freeway (Loop 202). All parcels within the CAC are subject to PDP approval.

The CAC master plan identifies the three-parcel site to include general land uses as categorized under Commerce Midrise, Commercial/Freeway Related and Commercial Hotel/Retail Midrise. Under these broad categories, specific uses including office, showroom, light industrial, fast food, gas, restaurant, retail, service retail and hospitality are permitted within the Ascend development. The goal of the CAC master plan is to maintain flexibility that allows development driven by market demands while maintaining high quality development standards. This request is for approval of conceptual designs which follows this goal of allowing flexibility of land use, building architecture and site layout based on future market demands and individual user needs. Planning Staff will review each phase administratively for substantial conformance with the PDP.

SITE LAYOUT

The Ascend at CAC represents a campus style business park development. Two conceptual master site plans are illustrated in the Development Booklet. The site plan labeled as "Conceptual Master Plan" is more fully illustrated with detailed site data. The second site plan is the "Conceptual Master Plan Option". Each conceptual site plan arranges the buildings to create a campus environment and address street frontages by pushing the buildings toward the street and centralizing the majority of parking and site amenities. Extensive vehicular access is provided to all three adjacent streets.

The CAC master plan depicts a trail connection to the Paseo through this site. The project proposes a pedestrian trail connection from Cooper Road, through the site and then connects to the public sidewalk on Northrup Boulevard. Numerous pedestrian walkways are provided to connect to public sidewalks and to building entrances to further create a campus environment.

Parking is provided as uncovered and covered spaces. A parking structure is an option dependent on user needs. Examples of parking structure design character are illustrated in the Development Booklet.

Landscape plant materials comply with the plant palette established in the approved CAC master plan. Linear open space is aligned with entry drives to create focal points and includes pedestrian plazas, walkways, signage and shaded seating areas.

BUILDING ARCHITECTURE

Architectural design character example illustrations portray the design intent. One architectural style will not set the precedent for subsequent buildings. The examples depicted provide four-sided architecture with massing and scale appropriate to a business park development. Design elements, window treatment and rooflines provide both vertical and horizontal modulation. Building heights are permitted up to 70 feet in height providing additional setbacks and FAA approvals. The material and color palettes further the cohesiveness of the CAC. Planning Staff will administratively review individual buildings as each phase develops. Additional details can be found within the Development Booklet.

SIGNAGE

The development's signage is governed by the CAC master plan Comprehensive Sign Plan. The Comprehensive Sign Plan limits the size, amount and type of signage throughout the CAC, including wall signage. An entry sign is proposed for the development and is illustrated in the Development Booklet.

Staff RECOMMENDATION

Planning Staff supports the request for conceptual site layout and conceptual building architecture. The proposed architectural design character advances the goals of the CAC master plan by establishing a high level of design standards for future development. The goals are further carried

out by grouping buildings with enhanced common entry features, pedestrian plazas, and a complementary landscape theme to create a cohesively designed business park. A trail connection to the Paseo will be provided along with interior greenbelts. The proposal is compatible with existing, adjacent developments.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on April 23, 2014. There was one property owner in attendance. There were no comments or questions concerning the request. Planning Staff is not aware of any formal opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 4-0 with Commissioners Cunningham and Donaldson absent and Commissioner Foley abstaining.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and Planned Area Development (PAD) zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "ASCEND AT CHANDLER AIRPORT CENTER", kept on file in the City of Chandler Planning Services Division in File No. PDP13-0018, except as modified by condition herein. The Development Booklet provides that building layout, architecture, and design for future development of individual buildings and related onsite site layout related to such future development of individual buildings, will be reviewed and approved administratively.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. All buildings shall be designed to be consistent with the level of quality, detail, building material, paint colors, architectural articulation and the like as established in the attached Development Booklet.
4. Building architecture shall promote consistent architectural character and detail in all sides of the structures.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. The applicant shall submit a revised Page 7 of the Development Booklet with the deletion of the sentence referencing a discrepancy between the City of Chandler Zoning Ordinance and the Development Booklet.

13. APPROPRIATION: Fire and Emergency Medical Dispatch Services

AUTHORIZED the appropriation for Fire and Emergency Medical Dispatch Services in accordance with the current Intergovernmental Agreement (IGA) with the City of Phoenix in an amount not to exceed $1,075,271.00.

BACKGROUND/DISCUSSION
The current IGA with the Phoenix Fire Department has been in effect since 2003. This IGA provides dispatch services, technical services and equipment maintenance. In fiscal year 2008/09, a full cost recovery approach was instituted by the Regional Dispatch Consortium. This full cost recovery is based on recovery of operating budget which includes personnel, equipment and upgrades to current equipment.

The contract that the Fire Department has with PMT Ambulance provides for dispatch services for ambulances through the Fire Department's IGA with the Phoenix Fire Department. PMT pays $248,251.00 of the total Chandler cost to Phoenix. In accordance with the contract, this money is collected and deposited on a monthly basis into the City's Ambulance Revenue Account.

14. APPROPRIATION: Firefighter Physical Examinations

AUTHORIZED the appropriation for Firefighter Physical Examinations in accordance with the Intergovernmental Agreement (IGA) with the City of Phoenix in an amount not to exceed $165,000.00.

BACKGROUND/DISCUSSION
Annual medical exams are required by OSHA for Firefighters who wear breathing apparatus in order to enter hazardous atmospheres. The City of Chandler entered into an IGA with the Phoenix Fire Department Health Center in 2002 to perform these exams. This IGA provides Chandler Fire Department personnel with annual medical and physical fitness examinations. These exams are performed by Occupational Physicians whose primary focus is firefighter health and wellness. The annual exam cost is staying the same as last year. All exams are done in accordance with the recognized national standard, NFPA 1582.

15. AGREEMENT: VIP Roofing Services, LLC

APPROVED Agreement BF4-910-3394 with VIP Roofing Services, LLC, for roof replacement and restoration at the Police Property and Evidence, Information Technology and Fire Station #8 buildings in an amount not to exceed $267,087.14.

16. AGREEMENT AMENDMENT: Chandler Amusements, LLC

APPROVED Agreement No. CS4-961-2081, Amendment No. 2, with Chandler Amusements, LLC, to provide amusement train ride and concession services at Desert Breeze Park Railway facility for a renewal period of 10 years. This is the final 10-year renewal option for this agreement.

In 1992, the City solicited Request for Proposals for a private firm to construct and operate a miniature train concession in Desert Breeze Park. The Desert Breeze Railroad Company was selected and invested over a half million dollars in the construction of the concession facility, the installation of the track and related improvements to the park. They operated for 11 years under a lease agreement with the City. The company ceased operation and filed for bankruptcy in January 2003. The City of Chandler took possession of the concession facility and permanent improvements to the park in June 2003. Following the settlement of the bankruptcy action, the City sent out a Request for Proposals from vendors experienced in providing amusement train ride and concession services.

17. AGREEMENT: Republic Services of Phoenix

APPROVED Agreement No. SW4-910-3378 with Allied Waste Transportation, Inc., dba Republic Services of Phoenix, for City facility refuse collection for a two-year term in a total amount not to exceed $165,459.60.

In an effort to reduce the cost associated with refuse collection, Solid Waste Services Staff converted many City facilities to a less expensive contract that provides for side-load collection of

three hundred gallon refuse containers. Due to concerns for volume of waste generated, space restraints with revetments and/or parking, and access to containers for collection, the option of converting to three hundred gallon container collection at some facilities is not viable. City facilities not serviced with three hundred gallon container collection require front load collection of two, three, four and six cubic yard containers that are serviced under this agreement

18. PROJECT AGREEMENT: Carollo Engineers, Inc.

APPROVED Project Agreement No. WW1417.201 with Carollo Engineers, Inc., pursuant to Annual Contract No. EN1309.101, for Pecos McQueen Lift Station Abandonment Design Services in an amount not to exceed $114,434.00.

19. AGREEMENT AMENDMENT: HD Supply Waterworks, LTD

APPROVED Agreement No. MU-890-3266, Amendment No. 1, with HD Supply Waterworks, LTD, for the purchase of large water meters and meter parts, for a two-year term, in a total amount not to exceed $700,000.00. This is the first and final optional two-year extension.

20. AGREEMENT AMENDMENT: HD Supply Waterworks, LTD

APPROVED Agreement No. WD6-890-2297, Amendment No. 4, with HD Supply Waterworks, LTD, for the purchase of water meters and related equipment, for a two-year term, in a total amount not to exceed $1,977,500.00. This is the fourth and final optional two-year extension.

21. DESIGN CONTRACT: Carollo Engineers,Inc.

APPROVED Design Contract No. WW1301.201 with Carollo Engineers, Inc., for Ocotillo Reclamation Facility Expansion, in an amount not to exceed $8,999,936.00.

22. CONSTRUCTION CONTRACT: Standard Construction Company, Inc.

APPROVED Construction Contract No. WA0401.403 with Standard Construction Company, Inc., for Water Main Replacement Phase III, in an amount not to exceed $2,977,505.00. Phase III project area is bounded west to east by Jay Street and Arizona Avenue, north of Chandler Boulevard and south of Linda Lane. Phase III is the final phase of these water main replacements in this area.

23. PURCHASE: Crafco, Inc.

APPROVED the purchase of asphalt rubber crack sealant material from Crafco, Inc., utilizing the Arizona Department of Transportation (ADOT) Contract No. ADSPO13-035060, in an amount not to exceed $200,000.00.

24. CONTINUED USE PERMIT: Washington Residence

CONTINUED TO AUGUST 14, 2014, Use Permit ZUP14-0005 Washington Residence, to allow a single-family dwelling within the MF-2 (Multiple-Family Residential District) on property located at 380 S. Washington Street. The applicant requests a continuance due to scheduling conflicts and needs time to review the Planning & Zoning Commission meeting minutes of June 18, 2014.

25. CONTINUED LIQUOR LICENSE: Hurricane Grill & Wings

CONTINUED to August 14, 2014, a Series 12 Restaurant Liquor License (Chandler #153448L12) for Theresa June Morse, Agent, Franchise Partners LLC, dba Hurricane Grill & Wings, 7450 W. Chandler Boulevard. A recommendation for approval of State Liquor License #12079929 will be forwarded to the State Department of Liquor Licenses and Control.

26. CONTINUED LIQUOR LICENSE: Max & Ted's 480

CONTINUED TO AUGUST 14, 2014, Liquor Licenses, Series 6, for William Clyde Mohler, Jr., Agent, Mohler Enterprises LLC, dba Max & Ted's 480, 480 N. Arizona Avenue, to allow the applicant time to complete the requirements for a new Use Permit.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements:

Mayor Tibshraeny announced the City's libraries are switching to a new online catalog system which will make the current system unavailable from July 18 to 22, but that librarians will support customers by phone or in person.

He also said the Chandler Police Department will begin accepting applications for its popular Police Explorer program. The process begins with an open house and informational session at 6 p.m., Wed., Aug. 13, at the Chandler Heights Police Substation, 4040 E. Chandler Heights Road.

The Mayor concluded by advising residents that Proposition 470, which is known as "Home Rule", will be on the August 26th primary election ballot. The Home Rule proposal is voted on every four years and gives the City Council the authority to control the budget and to allocate the monies that are received. He stated the entire City Council supports Proposition 470.

B. Councilmembers' Announcements

Councilmember Weninger cautioned motorists to beware of children along the streets as they return to school. He wished his mother a Happy Birthday.

Councilmember Hartke reminded voters who are not registered as a Republican or Democrat that they will need to request a ballot.

Councilmember Hartke invited residents to check out the various library reading programs occurring throughout the summer. In addition he said volunteers were needed for Chandler's Operation Back to School supply drive.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:30 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: August 11, 2014.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 10th day of July 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 14 day of August, 2014.

_____
City Clerk

MINUTES OF SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Monday, August 11, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 5:33 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance: Rich Dlugas, City Manager; Marsha Reed, Assistant City Manager; Nachie Marquez, Assistant City Manager; Kay Bigelow, City Attorney; Marla Paddock, City Clerk; Jeff Kurtz, Planning Administrator; David Bigos, Mayor & City Council Asst.

City Manager Dlugas said they would be hiring a consultant later in the summer to complete an economic impact study for the Airport.

Ms. Lori Quan, Airport Manager reviewed the PowerPoint presentation and explained there are three types of airports – military, commercial and general aviation. She stated Chandler will never be a commercial service airport and they have been working to communicate that publically. Chandler Municipal Airport is considered a reliever airport. She displayed the National Plan of Integrated Airport Systems (NPIAS) - FAA Map. She noted 467 airports of 2,800 GA airports are classified as regional relievers.

She reported there are approximately 400 aircraft based at Chandler Municipal; it is the 43 busiest airport in the U.S. and the 16th busiest for General Aviation. In 2014, there were 130,323 operations through July 2014. There were 211,600 operations in 2013, which was a 7% increase over 2012.

There are 127 on-airport jobs. She stated this number does not include aviation businesses on property adjacent to the airport such as AeroZone, Softcomm Projects, Varga Enterprises and Curtis Superior Valve.

She explained the State (Az. Department of Transportation) did a study and it was broken down to individual airport level. Chandler's annual economic activity is estimated at $26 million. Direct output is $10 million also included is tourism impact.

Ms. Quan stated Chandler is known for flight training. There are four on site. Quantum, Chandler Air Service, Wings 270 and TransPac. In addition there is business aviation. Southwest Aircraft Charter operates at Chandler Municipal Airport.

Self-Sustainability has been studied twice in the past 15 years. She noted the airport is about 25-30% built-out.

Ms. Quan reviewed the Airport Financial Summary slide. She stated there was about $1 million in revenue, with $100,000 in Indirect Costs, in addition to Capital and Debt Service. The General Fund subsidy was $208,911 in 2013-14. She noted the addition of funds for legal services was also approved by Council in 2013-14.

Vice Mayor Heumann asked if grants were included. Ms. Quan stated they are accounted for differently.

The Mayor asked for an update on the lawsuit. City Attorney Bigelow said there have not been any legal fees paid. The determination is pending at the FAA Director's office and has been extended another 6 months. The Mayor indicated his desire to send a letter to the FAA.

Ms. Quan noted there was a $300,000 non-grant eligible project to take a tank above ground. The Vice Mayor asked what the subsidy estimate would be. Ms. Quan stated $300,000, but shouldn't be that high as some projects are not being awarded.

She reviewed the History of the General Fund Subsidy slide and the Airport Fund Revenue Sources. She stated there are 100 people on the waiting list for hangars. There are 116 hangars. There are 200+ tie downs and they are at 60% capacity.

Ms. Quan said Scottsdale is a successful model for self-sustainment. It became self-sustaining 11 years ago. Falcon Field became self-sustaining 9 years ago.

She commented that Chandler has the space to develop as there are approximately 50 acres remaining for lease.

Vice Mayor Heumann asked how much the Falcon Field budget is. Ms. Quan said she could follow-up with that information.

The Mayor noted a caution on comparisons as there was residential on all sides of Chandler Municipal.

Ms. Quan stated at build-out, 9 square miles Chandler Airpark Area will have:

- More than 28 million s.f. of non-residential space
- 30,000 jobs
- Non-noise sensitive enterprises including aviation–related services, manufacturing, distribution and advanced business services.

She noted the areas to look toward were recreation and flight training along with enabling the business traveler. Key opportunities included: Chandler Municipal's history, airport size, weather, and tourism; along with East Valley job growth, and links to tech markets in Mountain West.

She explained the RFP priorities would be to analyze the current direct and indirect economic impact, and define airport tangible and intangible assets. In addition to identify and establish long-term goals to make the airport financially self-sustaining, while supporting the City's economic development initiatives; identify additional revenue generating opportunities, and make recommendations for enhancing the airport's economic benefit to the community and region.

Vice Mayor Heumann stated it would be imperative to know what the true economic impact is and balance with the subsidy.

Ms. Quan stated that 2006-07 had peak usage with 269,000 operations. 2014 projected is 220,000.

Councilmember Hartke asked what the economic cost would be if the airport ceased to exist. Ms. Quan replied that would also include seeking permission from the FAA.

Adjournment: The meeting was adjourned at approximately 6:44 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: January 8, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 11th day of August 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12 day of January, 2015

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, August 11, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:05 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: The invocation was let Prema Dhatri of ISKCON of Phoenix.

PLEDGE OF ALLEGIANCE: Mayor Tibshraeny led the Pledge of Allegiance.

Mayor Tibshraeny took a moment to recognize the Tianjin City little league team. They are touring the State and will be playing a few games against the Chandler National Little League team during their stay. They presented the Mayor with a baseball cap in Chinese that reads "Victory." He thanked the team, the coaches and other members of the group for visiting him earlier and the City of Chandler.

CONSENT:

Vice Mayor Heumann requested Item 5 (Chandler Viridian) be moved to the Action Agenda.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER DONOVAN, TO APPROVE THE CONSENT AGENDA AND TO MOVE ITEM NUMBER 5 TO THE ACTION AGENDA.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Regular Meeting of July 7, 2014.
1b. Study Session of July 7, 2014.
1c. Regular Meeting of July 10, 2014.

2. POWER TRANSMISSION EASEMENT: Salt River Project Ord. #4488

ADOPTED Ordinance No. 4488 granting a no-cost power transmission easement to Salt River Project (SRP) along the north side of Riggs Road fronting the Ironwood Country Club.

3. ZONING AMENDMENT: Thorobred Wrestling Club Ord. #4549

ADOPTED Ordinance No. 4549, DVR14-0016 Thorobred Wrestling Club, amending the Planned Area Development (PAD) zoning for Planned Industrial District (I-1) uses to allow an instructional sports and athletic training facility use in Unit 14 of Building M within the Paloma Kyrene Business Community located south of Chandler Boulevard on the west side of Kyrene Road at Gila Springs Place.

4. REZONING: Lone Tree Ord. #4552

ADOPTED Ordinance No. 4552, DVR14-0001 Lone Tree, rezoning from Planned Area Development (PAD) for condominiums to PAD for single-family residential located at the SWC of Riggs and Lindsay roads.

5. MOVED TO ACTION AGENDA

6. No item.

7. GRANT AGREEMENT: Arizona Department of Public Safety Res. #4793

ADOPTED Resolution No. 4793 authorizing a Crime Victim Assistance Program Grant Agreement with the Arizona Department of Public Safety for the provision of crime victim services and authorizing the Mayor to sign the agreement; and authorizing the Police Chief to administer, execute and submit all documents and other necessary instruments in connection with such agreement; and authorizing the City Manager or designee to approve and execute any future extension to this contract.

BACKGROUND/DISCUSSION
The Police Department has been awarded a Victim Assistance Grant through the Arizona Department of Public Safety as a pass-through grant from the Federal Government's Victims Crime Act (VOCA). The Police Department has been the recipient of an award through this program since Fiscal Year 2007/08. The grant covers 80% of actual expenses for a Victim Services Specialist position. This position interacts with victims of actual or threatened crime in the Chandler community to assist in their recovery as quickly and fully as possible. This agreement is for $80,515.00 for the period July 1, 2014, through September 30, 2015.

FINANCIAL IMPLICATIONS
This grant covers 80% of the position's expenses and a matching grant through the Arizona Criminal Justice Commission covers the remaining 20%.

8. GRANT AGREEMENT: Arizona Criminal Justice Commission Res. #4794

ADOPTED Resolution No. 4794 authorizing a Crime Victim Assistance Program Grant Agreement with the Arizona Criminal Justice Commission for the provision of crime victim services; and authorizing the Mayor to sign the agreement; and authorizing the Police Chief to

administer, execute and submit all documents and other necessary instruments in connection with such agreement; and authorizing the City Manager or designee to approve and execute any future extensions to this contract.

BACKGROUND/DISCUSSION
The Police Department has been awarded a grant through the Arizona Criminal Justice Commission's Victim Assistance Grant program. The Police Department has been the recipient of an award through this program since Fiscal Year 2006/07. The grant covers 20% of actual expenses for a Victim Services Specialist position, including other operating expenses, in the Police Department. This position interacts with victims of actual or threatened crime in the Chandler community to assist in their recovery as quickly and fully as possible. This agreement is for $19,524.00 for the period July 1, 2014 through June 30, 2015.

FINANCIAL IMPLICATIONS
This grant covers 20% of the position's expenses and a matching grant through the Arizona Department of Public Safety covers the remaining 80%.

9. IGA AMENDMENT: Maricopa County and Newtown Community Development Corporation Res. #4796

ADOPTED Resolution No. 4796 authorizing Amendment No. 1 to an Intergovernmental Agreement (IGA) with Maricopa County and Newtown Community Development Corporation regarding use of federal funds for a first time homebuyer program; authorizing the Mayor to execute the amendment; and authorizing the City Manager or designee to execute such other documents as are necessary to comply with provisions of the agreement, as amended.

BACKGROUND;
The City of Chandler receives federal HOME Investment Partnership (HOME) funds annually from the U.S. Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium which is comprised of the cities/town of Avondale, Chandler, Glendale, Peoria, Scottsdale, Surprise and Tempe. The Consortium is required to allocate 15% of the annual HOME allocation to Community Housing Development Organizations (CHDOs). In January of 2012, Newtown Community Development Corporation applied for and received Chandler City Council approval to apply to the County for CHDO funds. Newtown was subsequently awarded $340,000.00 in CHDO HOME funds for the acquisition, rehabilitation and resale of up to four properties to low to moderate income families under the Chandler Land Trust first time homebuyer program. In July of 2012, the City Council approved an agreement with Newtown for this purpose.

The final form of the agreement between the City, County and Newtown took the form of a three party intergovernmental agreement (IGA) wherein the County commits to funding $340,000.00 in HOME funds for the project and the City commits to acting in the role of administrator of the funding with Newtown. An amendment to the agreement is now required.

The purpose of this amendment is to extend the contract termination date from June 30, 2014, to June 30, 2015, and to adjust the Scope of Work, which will ensure compliance with Final HOME Program Rules adopted by HUD in 2013. In addition, the amendment identifies three specific property addresses to which funds can be committed and includes language requiring the City to complete certain assessments, such as a market survey and risk assessment, prior to funds being committed to Newtown for the project. These items are also required as a result of the HOME Program Rule change in 2013.

FINANCIAL IMPLICATIONS
Funding for the HOME program is provided from HUD through the Maricopa County Consortium and does not require repayment.

ACTION:

5. REZONING/PRELIMINARY DEVELOPMENT PLAN: Chandler Viridian Ord. #4551

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4551, DVR14-0012 Chandler Viridian, rezoning from Planned Area Development (PAD) Commercial and Multi-Family to PAD Commercial and Multi-Family located at the SWC of the Loop 101 Freeway and Frye Road. (Applicant: Chris Anderson; Hines.)
PRELIMINARY DEVELOPMENT PLAN (PDP) on approximately 26 acres for a mixed-use development including Office, Hotel, Commercial and Multi-Family Residential uses located at the SWC of the Loop 101 Freeway and Frye Road.

BACKGROUND
This request was continued from the July 10, 2014, Council meeting to allow the developer to finalize development details.

The site was designated as a portion of parcel G supporting office and retail development during the mall zoning process in 2000. In 2001, the northern portion of the subject site received PDP approval for a hotel. Early 2005 brought a new PDP for a hotel, with condominiums occupying two floors and an athletic facility. In late 2005, a Rezoning and PDP were approved for a hotel and an office/residential condominium building. Construction started on the hotel; however, never got beyond internal support structures for the building. The request is to Rezone the 26-acre subject site from PAD for commercial and multi-family to PAD commercial and multi-family residential with PDP approval for a mixed-use development including office, hotel, commercial and multifamily residential uses.

At the time of the initial zoning of the mall, various parcels within the master plan were designated with development guidelines. For parcel G, it was anticipated that development would occur in a vertical fashion, which lead to the allowance of building heights to approach 200 feet, with approval of such heights being subjected to PDP approval. Increased building heights are proposed for this development with building height potentials ranging from four to ten stories.

SITE LAYOUT
The site is organized so that the commercial, retail and hotel buildings are adjacent to the street frontages continuing the major commercial hub that the mall presents. The multifamily apartments are allocated to the southern 14-acre portion of the site. Two retail pads and the hotel are adjacent to Frye Road with the proposed office buildings and parking garage central to the site. Details are provided in the Development Booklet outlining building heights for flexibility of users.

Extensive work has been done to ensure the development presents a true urban feel with the interaction of residential uses in close proximity to commercial uses.
Various exhibits highlighting the pedestrian corridors throughout the site linking the residential component to the commercial uses are provided in the Development Booklet.

The southern 14 acres of the subject site will be developed with 335 residential units. The multi-family component is designed with seven residential buildings organized around the perimeter of a centralized open space. Six four-story residential buildings are provided, with the seventh providing a portion of residential units with the remaining portion for clubhouse functions. An overall density of 29 units per acre is provided.

Amenities for the residential component include gathering spaces throughout the central corridor, a pool area, a dog park along the site's southeastern portion, a wellness trail that runs along the perimeter of the entire development and extensive amenities in the clubhouse building, furthering the urban environment.

The clubhouse operates as a central activity hub combining elements of a resident's daily activity needs (mailroom, health club, lounge, game room, conference room and café), fostering community. The café is open to the public featuring an exterior service window engaging to the street and provides outdoor seating in a shaded environment. The open interaction and activated outdoor area with shaded elements visually carries from the clubhouse to the office components by way of enhanced pedestrian walkways, furthering the urban street experience.

ARCHITECTURE

Attractive architectural design unifying both the commercial and residential elements is provided. Glass, concrete, gabion walls and metal elements are the predominant materials of the commercial development. Corresponding with the commercial architecture, the residential units incorporate a color palette consistent with the commercial development, providing horizontal metal panels along the façade adjacent to Galleria Way which relates to the scoring of the concrete office elements and incorporates a stacked stone veneer at the pedestrian level linking to the commercial development.

COMMISSION AND STAFF

The Planning Commission and Planning Staff support the request. Extensive details and exhibits are provided in the booklet highlighting everything from pedestrian corridors, open space vignettes, gathering areas, pedestrian and vehicular circulation patterns, to architectural perspectives, all showcasing a truly unique move toward urban development around one of the City's major commercial hubs.

As stated above, multiple building height options are proposed As detailed in the Development Booklet, the two four-story office buildings can be combined into a larger six-story office building. Similarly, the hotel is currently shown as six-stories; however, provisions are requested allowing a range of four to ten stories. With the mall master plan, heights in upwards of 200 feet were approved for the site.

With a project of this scope, often administrative review is requested for some aspects of the development. While the elevations are well established for the multi-family and office components, conceptual renderings are provided for the hotel and commercial buildings. The request is to allow for administrative review and approval as the hotel and commercial buildings come to fruition. The elevations as presented for the office building along with the conceptual renderings set an expectation for high quality.

Additionally, when multiple components of a development are presented, phasing is often addressed. Based on the unique history of the site and constraints associated with the acquisition of the property, a phasing plan has been presented in the Development Booklet. It is

anticipated that construction of the site will occur seamlessly through the phasing plan with the residential component constructed as phase one.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with neighborhood meetings being held on May 29 and June 3, 2014. A total of nine residents attended the meetings. Additionally, the applicant had one-on-one meetings with representatives of the Hearthstone neighborhood to the west of the mall site. Key items discussed included traffic circulation, both pedestrian and vehicular, as well as architectural design, with general support for the request. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Donaldson absent.

Prior to the Commission hearing, Planning Staff heard from a neighborhood representative within the Hearthstone community that had expressed concerns about appropriate locations for a pedestrian crosswalk, and felt that with the current design of the site, it would be beneficial to have the developer provide a crosswalk from the development to the commercial development west of Galleria Way. The neighbor believes that the crosswalk should be provided as the residential component is being constructed; however, Staff believes the need for a crosswalk be further examined following construction of the residential development to ensure proper location. Planning Staff has added Condition No. 7 of the rezoning conditions of approval to address the crosswalk. During the Study Session, the Planning Commission requested that two additional conditions be added as part of the Preliminary Development Plan conditions of approval. Conditions No. 12 and 13 were added to address hotel architectural design and the landscape palette.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "CHANDLER VIRIDIAN" and kept on file in the City of Chandler Planning Division in File No. DVR14-0012, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
6. The canvas shade structures shall be maintained in a manner similar to that at the time of installation.

7. Raceway signage shall be prohibited within the development.
8. The parking space canopies shall incorporate building materials, forms and colors to match the development.
9. The freestanding pads shall carry an architectural level of detail similar to front facades of main building.
10. The applicant shall work with Staff to incorporate art features within the development.
11. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
12. The hotel elevations shall carry a level of architectural design and detail consistent with those details as provided in the development booklet for the office buildings.
13. The applicant shall work with Staff to ensure that the landscape palette and landscape design is cohesive throughout the development in order to present a more unified landscape plan.

Sr. PLANNER ERIK SWANSON provided a brief overview of the project "Chandler Viridian," which is to be located at the SWC of the Loop 101 Freeway and Frye Road. The structure at this location has become known as the "skeleton building". The proposed project would redevelop the 26 acres with a mix of commercial, office, and retail on the northern portion and multi-family residential development on the southern portion. These projects would be phased in over-time and there would be various architectural features and elevations.

VICE MAYOR HEUMANN asked Mr. Wood if the applicant was in agreement with Stipulation No. 8 regarding a mutually acceptable development agreement.

MR. NICK WOOD, Attorney with Snell and Wilmer, representing the applicant for the project stated they were in agreement with the stipulations. Mr. Wood stated they hope to deliver a signed development agreement to the city by September 11th. They have obtained all but one of the 257 landowner signatures; the last signature is actually from an heir, as the original owner has passed away. They hope to close on purchasing the southern portion by end of September, and if everything progresses smoothly, close of the northern half should be by the end of November.

VICE MAYOR HEUMANN commented that it would be nice to have the "skeleton" building torn down by mid-November. MR. WOOD stated they were going to pre-pay $1.5 million of the impact fees however, they will bifurcate that money so they can proceed with the demolition of the structure earlier rather than later. They will be working with the City Attorney on these details. The demo is estimated to take approximately 3 months.

In response to a question from the Mayor, CITY ATTORNEY KAY BIGELOW, stated the Council will have two opportunities to rescind the zoning approval before it becomes effective if certain conditions are not met; these dates are September 8th and the 11th. She does believe that within that time there will be a signed development agreement, and from the owner of the existing structure, permission to demolish the building even if transfer of ownership does not occur within a certain period of time.

Ms. Bigelow explained the process of how Council, if needed, would rescind tonight's motion on the zoning if the sequence of events that need to occur, do not.

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COUNCILMEMBER WENINGER, TO INTRODUCE ORDINANCE NO. 4551, DVR14-0012 CHANDLER VIRIDIAN, REZONING FROM PLANNED AREA DEVELOPMENT (PAD) COMMERCIAL AND MULTI-FAMILY TO PAD COMMERCIAL AND MULTI-FAMILY LOCATED AT THE SWC OF THE LOOP 101 FREEWAY AND FRYE ROAD AND. PRELIMINARY DEVELOPMENT PLAN (PDP) ON APPROXIMATELY 26 ACRES FOR A MIXED-USE DEVELOPMENT INCLUDING OFFICE, HOTEL, COMMERCIAL AND MULTI-FAMILY RESIDENTIAL USES LOCATED AT THE SWC OF THE LOOP 101 FREEWAY AND FRYE ROAD.

MOTION CARRIED UNANIMOUSLY (7-0).

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

The Mayor stated Current Events would be announced at Thursday's Council meeting.

Adjournment: The meeting was adjourned at approximately 7:27 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: September 8, 2014.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 11th day of August 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 9 day of September, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, August 14, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:04 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Councilmember Hartke gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Ellen led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER HARTKE, to APPROVE THE CONSENT AGENDA AS PRESENTED.

FOLLOWING THE DISCUSSION ON ITEM 44 (BOURBON JACKS), COUNCILMEMBERS SELLERS AND HARTKE AMENDED THE MOTION TO INCLUDE THE CONTINUANCE OF ITEM NUMBER 44 TO THE SEPTEMBER 11, 2014 COUNCIL MEETING.

Mayor noted request to speak cards for items 14, 43 and 44.

MS. MOLLIE FLANAGAN, stated she is concerned with the expansion of Intel's facility. She stated Intel continues to conduct business with Israel and by Chandler supporting Intel's request for expansion, the city supports the human rights abuses that are currently taking place in Gaza and the West Bank. She provided statistics to compare the population density and housing structures of Phoenix and Chandler to Gaza to demonstrate the destruction of homes and displacement of persons in Gaza.

MR. JIM TOWELL, stated he is concerned with the correlation of Intel's relationship with Israel and Chandler's relationship with Intel. He stated Intel has received hundreds of millions of dollars in tax breaks from the government of Israel. Intel Israel is the largest private sector employer in that country. While Intel profits significantly with its relationship with Israel, the Israeli state has kept Palestinians under siege. He stated Intel has the economic power to pressure Israel to stop

these crimes, yet has done nothing. Intel needs to be held accountable for its business relationships. He requested the Council vote NO on the request for expansion and send a message Intel.

MAYOR TIBSHRAENY stated two comment cards were received related to item number 43: Use Permit LUP14-0003 El Herradero, Series 12 Restaurant. The request for live music at the establishment is the issue of contention.

MAYOR TIBSHRAENY stated two speaker cards were received for item number 44: Use Permit LUP14-0007 Bourbon Jacks Bar & Grill, Series 6 Bar License. Those discussions are listed with the item.

VICE MAYOR HEUMANN STATED HE WOULD VOTE NO ON ITEM 24, 28, AND 29.

THE MOTION CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTIONS NOTED.

1. REZONING: Chandler Viridian Ord. No. 4551

ADOPTED Ordinance No. 4551, DVR14-0012 Chandler Viridian, rezoning from Planned Area Development (PAD) Commercial and Multi-Family to PAD Commercial and Multi-Family located at the SWC of the Loop 101 Freeway and Frye Road.

2. PUBLIC UTILITY EASEMENT: City of Chandler Ord. No. 4550

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4550 granting an eight-foot wide public utility easement to the City of Chandler, in trust for the public, located on the east side of Dobson Road between Chandler Boulevard and Boston Street.

BACKGROUND/DISCUSSION
As part of the Chandler Boulevard and Dobson Road Improvement Project, the City of Chandler acquired a parcel of land on the east side of Dobson Road between Chandler Boulevard and Boston Street for water retention purposes. Premier Cardiovascular Center, the owner of the remaining portion of the parcel, received approval from the City for a Minor Land Division (MLD) on May 22, 2014. In order to accommodate development for the Premier Cardiovascular Center property, it is necessary for the City to grant an eight-foot (8') wide public utility easement along the western boundary of its property. This easement will benefit the public and development of additional parcels to the south and east.

Staff has reviewed and approved the legal descriptions for the requested easement.

3. EASEMENT: Salt River Project Ord. No. 4555

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4555 granting a no-cost power distribution easement to Salt River Project (SRP) on a portion of Shawnee Park.

BACKGROUND/DISCUSSION
An existing underground cable owned by Salt River Project that provides power to City facilities at Shawnee Park, as well as to the adjacent neighborhood, is failing. Salt River Project will be replacing the cable and needs an easement from the City in order to complete this work. The easement will be at no cost to SRP as the work is for City facilities and benefits the public.

Staff has reviewed and approved the legal descriptions for the requested easement.

4. EASEMENT: Salt River Project Ord. No. 4556

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4556 granting a no-cost power distribution easement to Salt River Project (SRP) on a portion of Centennial Park.

BACKGROUND/DISCUSSION
It is necessary to provide electrical power for the future improvements to Centennial Park. In order to provide electrical service to the park, SRP requires a power distribution easement. The easement will be at no cost to SRP as the work is for City facilities and benefits the public.

Staff has reviewed and approved the legal descriptions for the requested easement.

5. RIGHT-OF-WAY ANNEXATION: Ocotillo Road Ord. No. 4558

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4558, Right-of-Way Annexation of certain County Rights-of-Way of approximately 1.39 acres on Ocotillo Road between McQueen Road and Arizona Avenue.

BACKGROUND/DISCUSSION
Remnant County islands exist within the City of Chandler Municipal Planning Area (MPA) boundary. Some of these islands are within improved roadway right-of-way (R.O.W.) or roadways slated for improvement. In certain cases, annexation benefits the City by alleviating the County Plan review and permitting process. This particular annexation fulfills the annexation requirements stated in the Intergovernmental Agreement (IGA) between Maricopa County and the City of Chandler for the improvements to Ocotillo Road from Arizona Avenue to McQueen Road. The IGA requires that the City annex acquired roadway rights-of-way and the IGA remains in effect until all annexations have been completed.

Currently, along Ocotillo Road between McQueen Road and Arizona Avenue, there are two strips of R.O.W. under the jurisdiction of Maricopa County. The Annexation Map attached to the ordinance depicts the entire area to be annexed.

A.R.S. §9-471(N) allows for an alternate annexation procedure where a county right-of-way or roadway may be transferred to an adjacent city by mutual consent of the governing bodies of the county and city if the property transferred is adjacent to the receiving city and if the city and county each approve the proposed transfer as a published agenda item at a regular public meeting of their governing bodies.

6. REZONING/PRELIMINARY DEVELOPMENT PLAN: Continuum at Dobson Road
Ord. No. 4560

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4560, DVR13-0010 Continuum at Dobson Road, rezoning from agricultural District (AG-1) to Planned Area Development (PAD) for uses allowed within the Innovation Zone designation of the General Plan and to allow for the development of parcels less than 15 acres located at the NWC of Dobson and Queen Creek roads. (Applicant: Mike Withey, Withey Morris, PLC)
APPROVED a Preliminary Development Plan (PDP) for site layout and building design for property located at the NWC of Dobson and Queen Creek roads.

BACKGROUND

The subject site is located at the northwest corner of Dobson and Queen Creek roads. The existing Continuum campus with Cyrus One, OnTrac and Nationstar Mortgage is north of the subject site. To the east are Dobson Road and the Clemente Ranch residential subdivision. The Downtown Ocotillo commercial center, a daycare center and apartments are south and southeast of the site. West is undeveloped land zoned AG-1.

The property was previously zoned as part of the Motorola campus in the 1980s; however, the zoning reverted to AG-1. The proposed business park is an expansion of Continuum's campus adding approximately 306,000 to 435,000 square feet of office and a 64,000-square foot hotel.

The application requests Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) with Preliminary Development Plan approval for uses allowed within the Innovation Zone designation of the General Plan and to allow for the development of parcels less than 15 acres within a 34-acre campus including office buildings and a hotel. The proposed development extends the technology-based employment and office campus further south and along Dobson Road. The property is zoned Agricultural District (AG-1) and undeveloped.

The General Plan designates the subject site as Employment allowing major employers, knowledge-intensive employers, industrial/business parks and industrial support uses. Additionally, the General Plan identifies the subject site as falling within the South Price Road Employment Corridor (SPREC). This corridor, recognized as the City of Chandler's premier employment corridor, generally encompasses the property located on the west and east sides of Price Road, starting at Willis Road at the north and ending at the Chandler Heights Road alignment just north of Sun Lakes.

The Development Booklet represents the site design and building architecture guidelines for two- and three-story office buildings and a four-story hotel. The development is not requesting a Mid-Rise Overlay. A conceptual master plan represents three primary office buildings clustered around a curvilinear vehicular spine and pedestrian corridor. There is an expanded master plan representing two additional office buildings along with above ground parking structures. The architectural exhibits, imagery and representations contained within the Development Booklet establish the 'bar' or level of quality expected for the future campus. While the final ultimate design and location of buildings may alter, the exhibits depict a close representation of how the campus will develop. As with the existing Continuum, a variety of architectural styles may occur. Planning Staff will review the final building and site design administratively.

The request seeks to establish a cohesive business park, high-quality campus atmosphere with a strong landscaping theme. The development's site design emulates the existing Continuum providing landscape themes, strong pedestrian amenities, and site features. The landscape theme includes a 'radial' design at major intersection points that is carried throughout the campus. Building placement includes a relationship to the radial theme at the boulevard entrances furthering the campus concept.

The building architecture incorporates a mix of stone, precast concrete, brick, colored and textured concrete masonry units, EIFS, and stucco. Vertical and horizontal elements are prescribed along each building façade. Colors are represented to be a mix of cool tones similar to existing Continuum buildings as well as desert hue earth tones. Exhibits are provided for the proposed four-story hotel building at the site's southwest corner and the three two-story office buildings centralized in the parcel. Additional exhibits provide more detailed architectural imagery that further defines the level of quality expected within the Continuum at Dobson Road.

The request includes a comprehensive sign package that includes building mounted signage, campus identification signs and freestanding single-tenant and multi-tenant monument signage. Building mounted signage can include pan channel, reverse pan channel or flat cut out pin mounted lettering at the discretion of the end user. The signage represents a very high level of quality that provides a strong statement for the Price Corridor as well as creates a unified image for the campus.

DESIGN REVIEW COMMITTEE

A Design Review Committee (DRC) meeting was held on June 23, 2014, to present the development's building and site design. The applicant presented the building elevations for Buildings A, B and C, example office building images, the hotel and the proposed site, landscape and signage plans conveying this is an extension of Continuum's campus. DRC discussion focused on concerns with the architecture for Buildings A, B and C and the hotel. The DRC requested the three office buildings incorporate a similar level of architectural detail that exists with current Continuum buildings. Architectural details included enhanced front entry elements and wall plane features. DRC requested additional score lines and other depth so there is visual interest and adding more details to tie the buildings to what exists. One example, enhancing the multiple rectangular pop-out sections repeating along each building façade.

DRC requested the hotel tie in with the existing Continuum buildings in the same manner as the office buildings. The hotel is being designed for a specific user thus DRC requested the building be modified from a corporate appearance and to provide other examples of hotel buildings the user has developed that fit within the Continuum theme.

Following DRC, the applicant modified the office and hotel building elevations. Changes to the office buildings include further articulation such as additional glazing and enhanced perspectives reflecting visual interest at front entries. The hotel building includes additional vertical projecting elements with decorative porcelain tiles and additional glazing. Building colors are more reflective of the cool-toned paint colors on existing Continuum buildings. Planning Staff is of the opinion that additional score lines and other depth elements including vertical elements are needed to tie in the buildings further to the existing buildings per DRC's direction. With the proposed development allowing for the administrative review by Planning Staff for building and site design, the applicant is agreeable to a condition to further work with Planning Staff on additional design elements for the office buildings.

DISCUSSION

Due to the scope of the project and the long-term development projections, a phasing plan is not included with the Development Booklet. A project of this size may take several years for full development to be realized in conjunction with the larger Continuum campus. Necessary site work and infrastructure will occur throughout the property as market conditions warrant as each parcel develops.

Planning Staff is of the opinion that Continuum at Dobson Road represents the continuation of Continuum and the development of knowledge-intensive industries. With the quality development standards as represented in the Development Booklet, Continuum at Dobson Road will be used as a guide for future development. Planning Staff finds the development to provide an opportunity to further the South Price Road Employment Corridor's employment preeminence. The development provides distinctive opportunities allowing for emerging knowledge-intensive industries to partner with similar users within a close proximity.

The Development Booklet pages 11, 14 and 55 (related to site development and parking standards, commercial design standards, and sign standards respectively) includes different statements that the PDP Development Booklet prevails if there is a discrepancy or conflict between what is stated in the Development Booklet and what is required by Zoning Code/Ordinance. These statements shall be stricken from the Development Booklet. Concerns have risen lately as to whether or not the caveat is appropriate and necessary when dealing with discrepancies between required development standards and elements proposed in the development book.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the City of Chandler Zoning Code with a neighborhood meeting being held on June 16, 2014. There were two citizens in attendance who were former employees of Motorola and were in support of the request. Planning Staff is not aware of any opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

Planning Staff inadvertently included a standard 3-year time limit zoning condition. Staff intended to apply the same timing condition included in the prior Continuum zoning case. The condition has been added to the rezoning action as Condition No. 2.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan, South Price Road Employment Corridor and the Innovation Zone, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls, and the Planning Administrator for arterial street median landscaping.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. The site shall be maintained in a clean and orderly manner.
6. Building mounted signage shall be consistent with the design expectations as provided in the Development Booklet and as such, building mounted signage shall be reviewed and approved administratively by Planning Staff.
7. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
8. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
9. Raceway and animated signs shall be prohibited within the development.

10. The applicant shall work with Planning Staff to further enhance the office buildings with elements such as, but not limited to, vertical articulation, score lines and other depth elements to tie the buildings to existing Continuum buildings.

7. REZONING/PRELIMINARY DEVELOPMENT PLAN: Chandler Corporate Center Ord. #4561

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4561, DVR14-0015 Chandler Corporate Center, rezoning from Planned Area Development (PAD) for commercial retail to PAD for industrial/office/warehouse and commercial retail. (Applicant: Mike Withey, Withey Morris PLC.)
APPROVED a Preliminary Development Plan (PDP) for site and building design on approximately 25 acres generally located at the NWC of Chandler Boulevard and McClintock Drive.

BACKGROUND
The subject site is located at the northwest corner of Chandler Boulevard and McClintock Drive, encompassing roughly 25 acres. The request excludes the 1.1-acre site at the immediate intersection corner. Along the site's north and west is property that has been either developed or approved consistent with the Chandler Corporate Center. South and east are the major arterials of Chandler Boulevard and McClintock Drive.

The subject site and surrounding approximately 75 acres has a long zoning history with uses being established in 1988. In 2000, a PDP was approved for the entire 100-acre Chandler Corporate Center. Late 2005 brought a new PDP for the 75 acres surrounding the subject site. In 2009, a Rezoning and PDP were approved for the subject site allowing for commercial retail uses including a hotel and daycare facility. The current request is to rezone the subject site to allow uses that were originally approved with the Chandler Corporate Center in 1988 allowing for industrial/office/warehouse and commercial retail, as well as PDP approval for site layout and building architecture consistent with the 2005 approved PDP for the larger Chandler Corporate Center.

While no user is specified at this time, the Development Booklet provides exhibits setting the level of expectation for building architecture and provides a conceptual site plan. Further design guidelines are provided in the Booklet establishing heights, lot coverage, uses and allocated square footages per use. As has been presented in the Development Booklet, the current request is consistent with past approvals for the Chandler Corporate Center. The applicant is requesting that approval for individual buildings be subject to administrative approval so long as future proposals are consistent with the Development Booklet. Planning Staff supports the request for administrative review and approval.

DISCUSSION
As outlined in the Development Booklet, land uses are provided for both the existing corporate center (as a historical reference) and the proposed site. The subject site is designated as Employment/Commercial; however, is proposing uses consistent with the surrounding corporate center with the exception that commercial uses are requested. The intent of the commercial uses is primarily to provide support services to the surrounding corporate center and is not intended to allow for a commercial shopping center as was previously contemplated for the site.

The Planning Commission and Planning Staff support the rezoning and PDP request citing that the uses and design representations are consistent with the General Plan and surrounding area. Furthermore, Planning Staff is supportive of the request for administrative approval as

development occurs on the site, as the administrative approval process has been effective for the larger campus.

Due to the site's size and the request for administrative approval as development occurs, it is likely that it will occur in a phased fashion. Often phasing effects improvements associated with landscaping, access drives and parking areas. Planning Staff is recommending a condition requiring a phasing plan for the entire subject site with the submittal of the first building.

Lastly, the last sentence in the Development Standards section on page 7 of the Development Booklet states: "If there is a conflict, the development standards in this PDP shall apply", shall be stricken from the Development Booklet. Concerns have risen lately as to whether or not the caveat is appropriate and necessary when dealing with discrepancies between required development standards and elements proposed in the Development Booklet.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 16, 2014. There was one neighbor in attendance in support of the request. The applicant has met the Stellar Airpark users group and no opposition or concern was expressed. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

Prior to the meeting, Planning Staff received a call from the Stellar Airpark Board of Directors with a concern about conceptual building locations within the Clear Zone. Planning Staff assured the Board of Directors that no buildings would be constructed within the Clear Zone. The applicant has added an exhibit in the Development Booklet depicting that all buildings are outside of the Clear Zone.

RECOMMENDED ACTIONS
Rezoning
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Landscaping shall be in compliance with current Commercial Design Standards.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
4. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
5. A phasing plan shall be submitted in conjunction with the first building(s) outlining off-site improvements, landscaping, access points and drive aisle locations, and parking areas.

8. EXTINGUISHMENT: Temporary Construction Easement Res. #4784

ADOPTED Resolution No. 4784 authorizing the extinguishment of a Temporary Construction Easement at 2222 N. Arizona Avenue.

BACKGROUND/DISCUSSION
The City obtained a Temporary Construction Easement (TCE) for construction of a bus bay at 2222 N. Arizona Avenue in 2010. The construction work for this facility has been completed and the property owner is requesting that the City extinguish the TCE obtained on their property. Staff has reviewed the request and agrees that the easement is no longer needed.

9. ISSUANCE/SALE: General Obligation Refunding Bonds Res. #4789

ADOPTED Resolution No. 4789 authorizing the issuance and sale of not to exceed $250,000,000.00 in General Obligation Refunding Bonds, Series 2014.

BACKGROUND
Current low interest rates offer an opportunity to refinance a portion of the City's General Obligation debt by refunding bonds previously issued and outstanding; specifically General Obligation Bonds, Series 2007 and 2009, allowing the City to realize debt service savings. If completed, the refunding will reduce the amount of debt service expenses paid from the secondary property tax supported Debt Service Fund. This savings will lower the tax rate required to pay such debt or allow for additional tax rate capacity for new projects.

The final interest rates, which will be determined at the time of the bond sale, will also determine the final principal amount that can/should be refunded. Therefore, to provide flexibility under varying market conditions, the resolution authorizes a maximum principal amount that may be sold.

FINANCIAL IMPLICATIONS

The resolution authorizes the refunding of a portion of the City's outstanding General Obligation Bonds if the savings are at least 3% of the principal amount of the bonds being refunded and results in present value savings of at least $1,000,000.00. Depending upon the final issue size, this refunding is expected to generate debt service savings to the City of approximately $3,000,000.00 - $5,000,000.00 in present value dollars. The savings are net of all costs of issuance.

10. INTERDEPARTMENTAL TRANSFER: Real Property Res. #4790

ADOPTED Resolution No. 4790 authorizing the interdepartmental transfer of certain real property within the City of Chandler's Municipal Utilities Department and the Housing Division and authorizing the subsequent improvement and leasing of property to qualified families at an affordable rent and authorizing the Housing and Redevelopment Manager to transfer funds within the Housing Division's fund 240 contingency budget to fund 236 to facilitate the construction project and leasing program.

BACKGROUND
The Housing and Redevelopment Division desires to diversify, maintain and expand affordable housing programs within the community. In conjunction with the approved Strategic Plan, Housing Staff is proposing the development of a City-owned infill parcel that would add two (2) additional affordable rental housing units to the existing inventory.

MUD recently decommissioned a wellsite on a 7000-square foot residential lot that is located in the 1950's Pamela Park subdivision (Kingston Wellsite).

MUD has no immediate or future use for the former wellsite property and would like to facilitate a reuse of the property. The wellsite property is located across the street from the Housing Division's rental property known as Kingston Arms Apartments, 127 N. Kingston Street. The wellsite property is currently zoned for a duplex to be constructed on the property.

Neighborhood Resources/Housing Staff is looking at an opportunity to gain possession of the property contingent upon the development of the property as an affordable rental duplex. This proposed project would eliminate MUD's obligation to manage and maintain a vacant lot and would allow the Housing Division to add much needed affordable housing stock to the Housing Division's inventory. The project would also improve and enhance the existing neighborhood by eliminating a vacant lot and enhancing the area with a new dwelling structure.

DISCUSSION

The Kingston wellsite lot is currently zoned MF1 which will support the construction of a duplex on the lot with the existing zoning. Housing Staff, with the assistance of an architect, has developed a conceptual design of how the duplex might be placed on the lot and a conceptual elevation. The duplex is designed to complement the existing neighborhood which currently is a mix of multi-family to the south and east, commercial to the north and single-family residential to the west. The conceptual plan is for each unit of the duplex to consist of two (2) bedrooms, one (1) bath, approximately 1000 square feet in size with an attached garage. The duplex will be energy efficient (energy star minimum) with desert landscaping.

The resolution would authorize:

- Transfer ownership of the property to the City's Housing Division
- Authorize a transfer of funds within the Housing Division's accounts to allow for the planning, development and construction of the duplex as a turnkey package. (Estimate $300,000.00)
- Authorize the future leasing of the duplex to income qualified families. Income qualified is defined as an income less than 80% of area median income. (Currently, a three-person household would qualify if their income was less than $45,550.00)
- Establishment of affordable rents that would be structured for families with incomes less than the 80% of area median income and rents would be less than fair market rent.
- Renting to qualifying families that must supply information to prove eligibility for the program and show an acceptable background and rental history. Selected applicants must demonstrate they can maintain the housing units.
- The Housing and Redevelopment Manager to develop architectural/construction plans and specifications, bid documents for construction. (Note: The bid award associated with any construction contract would return to City Council for approval before any construction would begin.)
- The development of program guidelines and the leasing of units based on the criteria outlined in this resolution. All pertinent documents would be reviewed by the City Attorney's Office.
- The rent revenue derived from this project would pay for the operating, maintenance and capital costs of the project. Any additional revenue will be used to support other affordable housing needs and projects. (Costs to undertake this proposed project will

come from sales proceeds from previous Public Housing sales and development proceeds.)

FINANCIAL IMPLICATIONS
The costs to implement this project are derived from Public Housing proceeds and other available resources. The estimated cost for the architectural fees, development fees, permits, construction costs, appliances and landscaping, is $282,000.00. There is funding available ($28,000.00) for a 10% contingency

11. SITE 6 REQUEST FOR PROPOSAL: Ryan Companies Res. #4795

ADOPTED Resolution No. 4795 authorizing the award of the Site 6 Request for Proposal (RFP) to Ryan Companies US, Inc., and authorizing Staff to begin Development Agreement deal terms with Ryan Companies; and directing Staff to present the negotiated Development Agreement to the City Council for consideration and possible action on or before the last regularly scheduled City Council meeting in May 2015 or the award of the RFP will automatically terminate.

BACKGROUND/DISCUSSION
Site 6 is a 4.25-acre site directly across from Chandler City Hall located at the northwest corner of Frye Road and Arizona Avenue. The site is vacant and entirely owned by the City. It is currently utilized for overflow and event parking, but is otherwise unencumbered.

The City issued a Request for Interest (RFI) for Site 6 on September 11, 2013, looking for interest from development firms with a solid track record of true mixed-use development. It was anticipated that a short list would be created from the initial RFI process to respond in a second phase which would include a more detailed RFP with an ultimate goal of designing a plan for the building of a signature project

The RFI requested information including an overall design concept for an urban, mixed-use project that included office, entertainment, retail, restaurant and parking. The development was to include high-quality architectural and urban design features and anticipated that a structured parking facility may need to be included in order to maximize the amount of usable land for development.

The preferred specifications included:

- 100,000 sf office
- 40,000 sf entertainment and recreation uses (high ceilings, extended clear spans)
- 25,000 sf retail/restaurant space
- Parking structure to meet the demand for this development. Option to add 150-200 public parking spaces should be presented for consideration, but many not be pursued.

Two development companies responded to the RFI in December 2013: Ryan Companies US, Inc., and Chicano's Por La Causa, Inc. The Evaluation Committee recommended moving forward with Ryan Companies to submit a formal RFP by May 31, 2014.

Ryan Companies is a 75-year nationally recognized company specializing in office development, construction and management experience in the Phoenix area. Over the last 17 years, Ryan Companies has developed more than 18 million square feet of office, industrial and mixed use product throughout metropolitan Phoenix.

Ryan Companies Chandler Site 6 team proposed to develop and lease a mixed-use project consisting of two office buildings and related retail and restaurants focused on significant jobs into downtown Chandler. The project is proposed to be built in two phases, based on market conditions and meeting pre-leasing requirements. The proposed plan creates pedestrian routes to City Hall and the Historic Square as well as open space for downtown patrons, events and employees.

The proposed site plans were designed with the intent of being flexible to respond to a broader range of opportunities in the market. The proposed phasing includes:

Phase 1:

- 44,600 sf office (1 floor = 22,300 sf)
- 5,400 sf retail/restaurant (indoor and outdoor dining)
- Public open space
- Surface parking or ½ parking garage (192 spaces) depending on final development plans

Phase 2:

- 3-6 stories office (1 floor = 25,000 sf)
- 8,750 sf retail
- Completion of parking garage (5 stories = 750 stalls)

The site plan includes approximately 13,360 sf of public open space to include outdoor dining, gathering spaces and pedestrian walkways. Upon award of the RFP, Ryan Companies will continue to work with Planning Staff to start the rezoning process that will include final land use and site design. As part of the zoning process, neighborhood meetings will be conducted to gain citizen input.

Economic Development Staff will begin negotiations with Ryan Companies on deal terms of a Development Agreement and will bring proposed Development Agreement back to City Council for review and approval. Council had earlier directed Staff to have an end date to the award of the RFP wherein there is either a mutually agreed upon Development Agreement between the successful proposer and Chandler or the RFP automatically terminates because of the lack of ability to reach a written agreement. Staff believes that Ryan Companies US, Inc., and Staff can negotiate a Development Agreement to be presented to City Council on or before the last regularly scheduled City Council meeting in February 2015.

12. PRELIMINARY DEVELOPMENT PLAN: Ocotillo Plaza Shopping Center

APPROVED a Preliminary Development Plan, PDP13-0016 Ocotillo Plaza Shopping Center, for additional commercial buildings and a comprehensive sign package for the Ocotillo Plaza shopping center at the NWC of Alma School and Queen Creek roads. (Applicant: Mike Withey, Withey Morris, PLC,)

BACKGROUND

The request was withdrawn from the July 10, 2014, City Council meeting for the purpose of readvertising.

The subject site is located at the northwest corner of Alma School and Queen Creek roads and encompasses the entire Ocotillo Plaza shopping center. North and west, adjacent to the site, is

property zoned for multi-family residential development; however, is currently operating as a farm. Arterials establish the eastern and southern boundary of the center.

The shopping center was zoned in late 1993 for 22 acres and expanded in 1995 to 29 acres. At the time of approval in 1995, the building architecture, site layout and landscape plans were presented and approved for Phase 1 (northeast two-thirds of the site) of the commercial center.

Early 1999 brought the approval of Phase 2 (southwest one-third of the site) of the Ocotillo Plaza shopping center. The closing of the Basha's grocery store in late 2009, and the relocation of the Target in mid-2011 has led the center in a downward spin.

The commercial center is largely controlled by two commercial entities with the exception of the bank (Wells Fargo) located at the site's southwest corner, and the two drive-thru establishments (Arby's and Taco Bell). The current request is to allow for the addition of two pads and expand a cluster of buildings to include an additional user for a total of three new commercial users.

DISCUSSION

Recently, the majority owner of the shopping center contacted Planning Staff to discuss the process for a refresh of the shopping center. While not part of this application, the property owner has submitted and received the necessary approvals for the refresh of the building façade. During the discussion on the façade, the owner indicated a desire to bring some additional small users to the site in an effort to bring new life to the center, which has brought forth this request.

Three commercial buildings are proposed that include two drive-thrus and a tire shop. One drive-thru is located close to the northern portion of the parking lot within visibility of Alma School Road. The second drive-thru is located along Queen Creek Road and will be adjacent to the landscape buffer along Queen Creek Road. Lastly, the third building will be central to the shopping center located off of the southern entry drive into the center.

As part of the improvement of the site, additional landscaping will be installed along the arterials and entrances, throughout the parking lot to ensure compliance with code requirements, as well as a resurface and restriping of the parking lot.

While the updated architectural design of the center has been reviewed and approved administratively, the additional buildings have been designed to incorporate elements from the approved architectural style theming. The architectural theming is influenced by Santa Barbara-style architecture and incorporates various metal detailing and the traditional light color palette.

Lastly, as part of the refresh of the center, an updated monument sign package is proposed. Currently, there are two monument signs along Alma School Road and two signs along Queen Creek Road. The request proposes to refresh the two along Alma School Road by slightly raising the height of one of the monument signs from eight feet to eleven feet at the top of the lettering of the sign and to increase the number of panels up to four. The second monument sign along Alma School Road will be reduced in height so that both signs are consistent in size and design. Along Queen Creek Road, an additional six-foot monument sign will be added for a total of three with a height of roughly seven-feet to the top of the sign lettering; four panels will be provided on the smaller signs. The updated monument signs meet the requirements of the recently updated sign code with the exception that code allows for only one sign to be at 14-feet, all others at eight feet. The Planning Commission and Planning Staff are supportive of the sign package finding that although one of the monument signs along Alma School Road exceeds the allowed height, all other signs are less than the maximum height.

The request was reviewed by the Design Review Committee (DRC) to discuss site layout, landscape improvements and architectural design. The DRC provided support for the request and is pleased with the anticipated refresh of the site.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 16, 2014. There was one neighbor in attendance in support. The applicant has met with the Ocotillo Design Board who is also in support. Planning Staff has received a number of telephone calls with general inquiries; all callers have been in support.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioner Ryan absent and Commissioner Baron abstaining.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "Ocotillo Plaza Shopping Center" and kept on file in the City of Chandler Planning Division in File No. PDP13-0016, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City council.
2. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
3. The applicant shall work with Planning Staff to ensure that decorative metal elements are incorporated into the design of the monument sign.
4. All tenant panel and center identification lettering on the monument signs shall be 1" routed aluminum push-thru lettering.
5. Landscaping shall be in compliance with current Commercial Design Standards.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. The freestanding pads shall carry an architectural level of detail similar to front facades of main building.
9. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
10. The applicant shall work with Planning Staff at time of building permit submittal to ensure that there is cohesiveness between the commercial buildings in the use of colors, materials, accent features and architectural design.
11. The applicant shall work with Planning Staff to ensure that the drive-thru of Building A meets the queuing requirements as provided in the Zoning Code.
12. Prior to issuance of building permits for Buildings A or B, construction must have commenced on the new colors and building elevations previously approved on Majors A, and the existing buildings located on Parcel 1. Prior to issuance of building permits for

Kneaders or its replacement, construction must have commenced on the new colors and building elevations on Major 1 (currently Shopper's Supply) located on Parcel 2.

13. PRELIMINARY DEVELOPMENT PLAN: Dominion Chandler Self Storage

APPROVED Preliminary Development Plan PDP14-0001 Dominion Chandler Self Storage, for the site and building design of a new self-storage facility located east of the SEC of Arizona Avenue and Ocotillo Road. (Applicant: Christopher Lenz P.E./United Engineering Group.)

BACKGROUND

The subject 1.7-acre parcel is part of a larger 11-acre development, Southshore Town Center Phase II, which includes three parcels. In 2004, the site was zoned Planned Area Development (PAD) along with a 26-acre commercial retail center allowing uses permitted by right in the Community Commercial District (C-2) zoning, nursery/kindergarten/daycare uses, research and educational facilities, self-storage rental warehouse facilities including motor vehicle, RV and boat storage as an accessory use and trade and vocational schools. In 2006, the zoning was amended to allow the for-sale condominium storage facility use.

South of the site are two existing storage facilities. One is developed as a self-storage rental facility and the other is a for-sale condominium storage facility. North of the site is Ocotillo Road and the Paseo Lindo commercial retail center. Adjacent, to the west, is the Home Depot anchored commercial center. The Union Pacific railroad tracks abut the site's east side. East of the railroad tracks is property planned for business park use.

The application requests Preliminary Development Plan (PDP) approval for a three-level internal self-storage facility with approximately 500 units on 1.7 acres. The internal storage facility building provides air-conditioned storage units ranging from 25 to 300 square feet within an approximately 76,816-square foot building. Site design meets the Commercial Design Standards with a streetscape comparable with the developed Dollar Self Storage facility.

The building's architecture incorporates materials, colors and forms corresponding to the existing two storage facilities. The building's design meets the Commercial Design Standards minimizing flat walls and providing vertical relief elements, providing varied materials, four-sided architecture, varied rooflines and internalized roof access ladders and roof drains.

Building signage is represented as illuminated pan channel lettering to match what exists on the adjacent storage facility. The existing freestanding monument sign has an available tenant sign panel for this parcel.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the City of Chandler Zoning Code. A neighborhood notice letter was mailed in lieu of a meeting due to no residential within the notification area.

Planning Staff has received emails and phone calls from a consultant who represents the existing Dollar Self Storage facility concerned about this development going in next to two other storage facilities. A letter of opposition was received from the adjacent Dollar Self Storage facility owner. Following receipt of the letter, Staff spoke with the property owner who conveyed concerns about the success of multi-story type storage facilities compared to the single-level, drive-up facilities his company builds. The owner requested a copy of the development's plans which were emailed to him.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

The representative of the adjacent Dollar Self Storage initially requested so speak on this item; however, subsequently submitted an updated opposition letter to Planning Staff and rescinded his request to speak. The representative said the property owner no longer has a concern about competition and instead feels there are site plan compliance issues. Staff confirmed the proposed development meets development codes which were vetted during the case review process prior to scheduling of hearings.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Compliance with original conditions adopted by the City Council as Ordinance No. 3588 in case DVR04-0003, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Dominion Chandler Self Storage", kept on file in the City of Chandler Planning Division, in File No. PDP14-0001, except as modified by condition herein.
3. The applicant shall work with Planning Staff to further enhance the design of the building's north elevation wall planes.

14. PRELIMINARY DEVELOPMENT PLAN AMENDMENT: Intel Ocotillo Campus

APPROVED Preliminary Development Plan, PDP14-0007 Intel Ocotillo Campus Amendment No. 4, for a Master Plan amendment on approximately 630 acres located at 4500 S. Dobson Road, the NWC of Dobson Road and the Chandler Heights Road Alignment. (Applicant: Doug Lenz, Intel Corporation.)

BACKGROUND
Intel Ocotillo Campus is bounded by Sun Lakes on the south, which is also the extended alignment of Chandler Heights Road. The west side is the extension of the Price Road alignment and common border of the Gila River Indian Community. The east side is bordered by Dobson Road, which is also adjacent to the Ocotillo master planned neighborhood.

The site was zoned as Planned Area Development (PAD) with a Preliminary Development Plan (PDP) in 1993. The Intel Ocotillo Campus PDP has been amended three times prior to the subject request. Each amendment contained a revised site plan to illustrate newly constructed buildings and future facilities. Amendment No. 4 incorporates an update to the master plan on facilities built since Amendment No. 3 and provides a projection of remaining future site development with associated facilities. The long-term phased build-out framework is described in detail in the Development Booklet. Future phases could include expansion of the Fab 42 Manufacturing facility, offices, warehouses, a water treatment and recover facility (WATR), and site yard facilities. Future development will be based on market demands, the economy and user needs. Planning Staff will review each phase administratively for substantial conformance with the PDP.

SITE AND ARCHITECTURE DESIGN
Future development proposes to continue locating buildings and facilities as a series of concentric rings to create a succession of intensity of land use and building massing. Less

intense uses, such as parking lots and office, exist around the perimeter of the site and could be built in future phases. Building setbacks are 50 feet from arterials and 30 feet from collectors. Intel self-imposed a 1,000-foot wide manufacturing building setback along the east and south property lines to further distance these intensive uses from residential development.

The PAD zoning established the ability for building heights to exceed 45 feet. Building heights within the Ocotillo Campus depend on the structure's use. Office and general purpose buildings would not exceed 65-feet in height. The WATR facility, proposed in the northwest corner off the campus, would reach a maximum of 55 feet in height except for the bine concentrator equipment and access tower (if required) could reach 80 feet in height. Manufacturing buildings could reach a height of 145 feet. Additional information is contained in the Development Booklet.

Architectural design character is classified under two categories, public/residential buildings and manufacturing/manufacturing support buildings. Public/residential buildings would be constructed of decorative concrete masonry with curtain wall glass and additional materials on office buildings. Manufacturing/manufacturing support buildings typically have approximately the first 20 feet of the elevation constructed of decorative concrete masonry with the remaining upper portion of deep-ribbed colored metal panels. Steel canopies and a color palette carry on the existing theme which is common to all campus buildings.

TRAFFIC

A Traffic Assessment was completed to determine potential traffic impacts of the long-term build-out of the Intel Ocotillo Campus. Conclusions indicated level of service for each driveway intersection with Dobson Road. Current operation is acceptable with the permanent and temporary traffic signals at the four driveways. Driveway upgrades would be made to allow for additional turning movements, signal timing and enhanced landscaping. At the time of future building construction, improvements will be evaluated to address future traffic impacts.

DISCUSSION

Planning Staff supports Amendment No. 4 to the Intel Ocotillo Campus master plan. The proposed future phased development and facilities continue the creation of a cohesively designed campus accompanied by design standards with consideration given to established residential developments. The site will continue to develop in a manner consistent with the General Plan and as a premier employer along the South Price Road Employment corridor.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with neighborhood meetings being held on June 10 & 12, 2014. Fourteen people signed in at the first meeting for the Ocotillo Community and 137 people signed in at the Sun Lakes meeting. The Sun Lakes community meeting room capacity of 350 seats was full despite the number of attendees indicated by the sign-in sheets. Comments and questions conveyed at both meetings related to timing of proposed construction, building heights, driveways, landscape and issues outside the project scope relating to SRP power lines.

Planning Staff and the applicant received several phone calls concerning immediate construction plans, what the amendment entails and landscaping. Planning Staff has received no formal opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

A Sun Lakes resident expressed concerns to the Planning Commission that the proposed parking lot adjacent to their homes is not a compatible use due to health concerns. The resident indicated a group of homeowners is preparing a packet/document as to why the parking lot is not a good use and would provide alternatives and suggestions. At the time of this writing, Planning Staff has not received the packet/document.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "OCOTILLO CAMPUS PRELIMINARY DEVELOPMENT PLAN", kept on file in the City of Chandler Planning Services Division, in File No. PDP14-0007, except as modified by condition herein.
2. All buildings shall be designed to be consistent with the level of quality, detail, building material, paint colors, architectural articulation, and the like as established in the attached Development Booklet.

15. ANNUAL MEMBERSHIP PAYMENT: Valley Metro Rail, Inc.

APPROVED payment of Fiscal Year 2014/15 annual membership fee for Valley Metro Rail, Inc., (METRO), in the amount of $50,000.00.

BACKGROUND/DISCUSSION
In 2007, the City of Chandler joined METRO. This enables the City to participate in the planning and design of the regional light rail system and future light rail extensions that could service Chandler.

Regional, high capacity transportation systems, such as light rail, require years of advanced planning and coordination with participating communities as well as regional, state and federal agencies. In 2003, the City of Chandler completed a High Capacity Transit Investment Study which designated Rural Road, Chandler Boulevard and Arizona Avenue/Union Pacific Railroad Chandler Branch Line as corridors for future development of high capacity transit systems, including light rail.

In December 2012, the City completed the Arizona Avenue High Capacity Transit Long Range Study. This study was completed by METRO's consultants in conjunction with City and METRO staff and was entirely funded with the City's annual membership fees. This study provided a planning assessment of potential light rail ridership on a future light rail line on Arizona Avenue. The study also presented recommendations for future bus service and for land use planning policies that will create a successful future light rail corridor.

Additionally, the City of Chandler is currently working with staff from METRO and the City of Mesa to develop the project scope and fee to study the potential for High Capacity Transit along Arizona Avenue into Mesa and is being referred to as the Fiesta-Downtown Chandler Corridor Study.

16. ANNUAL MEMBERSHIP DUES: Arizona Municipal Water Users Association

APPROVED payment of Fiscal Year 2014/15 membership dues to the Arizona Municipal Water Users Association (AMWUA), in the amount of $82,701.00.

BACKGROUND/DISCUSSION
The Arizona Municipal Water Users Association (AMWUA) is a voluntary non-profit corporation established in 1969 to develop and advocate regional water resource management policies in the interest of its members, their citizens and ratepayers. AMWUA's current members include the cities of Avondale, Chandler, Glendale, Goodyear, Mesa, Peoria, Phoenix, Tempe, Scottsdale and the Town of Gilbert.

AMWUA provides a forum for its member cities to meet and discuss water resource planning, legislation, conservation and management issues. This allows member cities to work together on regional projects such as drought response, groundwater management, groundwater recharge, augmentation, conservation, legislation and environmental issues affecting the members' water supply.

Each city's membership dues are a prorated share (based on population) of AMWUA's water operating budget. AMWUA's fiscal year 2014/15 water operating budget increased 4.38% from fiscal year 2013/14. Chandler's membership dues for fiscal year 2013/14 were $79,233.00. and have increased for fiscal year 2014/15 to $82,701.00.

17. CLAIMS REPORT

APPROVED the Claims Report for the quarter ended June 30, 2014.

18. SERVICE AGREEMENT PAYMENT: Motorola Solutions, Inc.

AUTHORIZED the annual service agreement payment for Fiscal Year 2014/15 to Motorola Solutions, Inc., in the amount of $89,400.96 to support the City of Chandler radio system infrastructure.

On October 22, 2009, Council approved the agreement for participation in the Regional Wireless Cooperative Governance (RWC) with the City of Phoenix and Motorola Solutions, Inc. Part of this governance outlines that participating agencies are responsible for maintenance of their own system infrastructure, to include dispatch console support, network security monitoring, audio recording equipment support and 24/7 technical and on-site service support. This service agreement is designed to help mitigate the risk of radio system downtime and allow for an immediate technical response to any issues that occur.

19. AGREEMENT AMENDMENT: Sunrise Engineering, Inc.

APPROVED Agreement No. GG1301.201, Amendment No. 1, with Sunrise Engineering, Inc., for the Boston Street Block Design, to determine the feasibility of water and sewer being added in the future and for design coordination with dry utilities, in an amount not to exceed $11,650.00, for a revised contract amount of $37,650.00.

On May 28, 2013, Staff approved a contract with Sunrise Engineering, Inc., for Boston Street Block Design which will design the replacement of a degrading sidewalk, upgrade the ramps to current ADA standards and redesign the on-street parking in the area.

The scope of services for this amendment includes a feasibility study of water and sewer lines being installed in the future on the north half of Boston Street where improvements are not currently proposed as part of this project. Future downtown development may cause the need to install new water and sewer lines in Boston Street. Staff would like to determine the feasibility of the future water and sewer installation in the northern half of Boston Street from California Street to Oregon Street with minimal impact to the Boston Street Block project. The Boston Street Block project primarily improves only the southern half of Boston Street from California Street to Oregon Street. The new water and sewer lines are not necessary to serve the existing customers along Boston Street.

Another service included in the amendment scope is design coordination with APS in preparation for future relocation of overhead electrical power lines to underground ductbanks. The design coordination is important to minimize the impact on newly constructed improvements resulting from the Boston Street Block project.

20. PROJECT AGREEMENT: Ritoch-Powell & Associates

APPROVED Project Agreement No. ST1406.201 with Ritoch-Powell & Associates for design services for street and utility improvements associated with the Alta Chandler development located along Frye Road and east of Washington Street, pursuant to Annual Engineering Services Contract No. EN1002.101, in an amount not to exceed $191,855.89.

21. AGREEMENT AMENDMENT: Skaggs East Valley Uniforms, Inc.

APPROVED Agreement No. PD1-200-2954, Amendment No. 3, with Skaggs East Valley Uniforms, Inc., for the purchase of police uniforms for a 90-day period to allow for a new solicitation process, for a new total contract amount not to exceed $160,000.00.

22. AGREEMENT AMENDMENT: Plumbing Services

APPROVED Agreement No. MU3-914-3022, Amendment No. 1, with Hoffman Southwest Corp. dba Roto-Rooter Service & Plumbing Company, Cartright's Drain Service, Inc., Reddi Services and Talis Construction Company for plumbing services for a two-year term in a total amount not to exceed $400,000.00 per year.

23. AGREEMENT AMENDMENT: Brown Wholesale Electric

APPROVED Agreement No. WH1-914-3005, Amendment No. 3, with Wesco Distribution, dba Brown Wholesale Electric for the purchase of electrical supplies in an amount not to exceed $175,000.00. This is the third of four optional one-year extensions.

24. PROJECT AGREEMENT: Dibble Engineering

APPROVED Project Agreement No. AI1305-451 with Dibble Engineering for the Construction Management of Airport Runway/Taxiway Erosion Control Improvement Project, pursuant to Annual Engineering Services Contract No. EN1005-101, in an amount not to exceed $94,780.00.

On September 27, 2012, City Council approved Resolution No. 4642, which authorized acceptance of Arizona Department of Transportation (ADOT) Grant No. E3S1Z in the amount of $928,800.00 for Airport Runway/Taxiway Erosion Control. In this particular portion of the project,

Dibble Engineering will provide daily construction inspection, construction monitoring and documentation and conduct weekly progress meetings with the contractor.

These improvements are necessary to maintain Federal Aviation Administration standards for Runway and Taxiway Safety Area (RSA) grading and smoothness. The intent of the project is to provide stability and protection of the soils adjacent to the runway and taxiway pavements and to improve grading and drainage in the northeastern-most infield areas. Because these improvements occur within the airport movement area and involve significant phasing and temporary runway closures, resident construction management and inspection services are required.

25. PROJECT AGREEMENT: J2 Engineering & Environmental Design, LLC

APPROVED Project Agreement No. PR1410.202 with J2 Engineering & Environmental Design, LLC, for Citrus Vista Park Project, pursuant to Annual Engineering Services Contract No. EN1302.101, in an amount not to exceed $135,751.00.

Each year the Community Services Department receives requests made by citizens for additional neighborhood parks. In 2006, the City of Chandler purchased 10.02 acres of land (Citrus Vista Park site) located in the square mile bordered by Ocotillo, Lindsay, Chandler Heights and Gilbert roads. This park site will serve the neighborhood park needs for the residents in this square mile.

As with all park development projects, citizen input on the design and development of this park was very important. On May 28, 2014, Staff facilitated a public meeting to gather input from Chandler citizens regarding the design of the park. Over fifty (50) residents attended the meeting and their feedback was supportive, with several residents expressing their appreciation for the City Council's commitment to accelerate this project. The conceptual master plan was endorsed by the Parks and Recreation Board at their July 1, 2014 meeting.

26. CONTRACT EXTENSION: Southwest Ground-water Consultants

APPROVED Annual Contract No. EN1203.101, Extension No. 2, with Southwest Ground-water Consultants for hydrogeological services in an amount not to exceed $500,000.00. This is the second of four optional one-year extensions.

27. CONSTRUCTION CONTRACT: Tri-Com Corporation

APPROVED Construction Contract No. WW1402.401 with Tri-Com Corporation for sewer pipeline rehabilitation in an amount not to exceed $470,209.00.

28. CONSTRUCTION CONTRACT: SDB, Inc.

APPROVED Construction Contract No. AI1305-401 with SDB, Inc., for Improvements of the Airport Runway/Taxiway Erosion Control Project in an amount not to exceed $635,150.00.

On September 27, 2012, City Council approved Resolution No. 4642, which authorized acceptance of Arizona Department of Transportation (ADOT) Grant No. E3S1Z in the amount of $928,800.00 for Airport Runway/Taxiway Erosion Control. This contract is for the construction component of the project.

These improvements are necessary to maintain Federal Aviation Administration standards for Runway and Taxiway Safety Area (RSA) grading and smoothness. The intent of the project is to provide stability and protection of the soils adjacent to the runway and taxiway pavements and to improve grading and drainage in the northeastern-most infield areas.

29. CONTRACT EXTENSION: Dibble Engineering

APPROVED Contract No. EN1005-101 one-year extension with Dibble Engineering for airport planning services, design services and construction management in an amount not to exceed $325,000.00 with the option of an additional one-year extension.

The Airport requested that a consultant be retained under an annual agreement to provide design services for municipal airport facilities and infrastructure. With a consultant approved by the Federal Aviation Administration (FAA) under contract for these services, the City can take greater advantage of grant money made available by the FAA and the Arizona Department of Transportation (ADOT) for airport improvements.

30. CONTRACT AMENDMENT: J2 Engineering & Environmental Design, LLC

APPROVED Contract No. EN1302.101, Amendment No. 1, to J2 Engineering & Environmental Design, LLC, for park design services, increasing the annual limit by $125,000.00 for a revised annual limit not to exceed $325,000.00.

31. CONTRACT/CONTINGENCY TRANSFER: Kimley-Horn and Associates, Inc.

APPROVED Contract No. ST1306.201 with Kimley-Horn and Associates, Inc., for Design Consultant Services for Queen Creek Road Improvements (McQueen Road to Gilbert Road), in an amount not to exceed $1,870,133.73.
APPROVED a General Fund Contingency Appropriation Transfer in the amount of $475,100.00 from General Fund Non-Departmental Appropriation Contingency to the Capital Grant Fund to allow for spending of the federal grant for this project.

32. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Airport Commission: Corinna Joy

Board of Adjustment: Chad Wakefield

Chandler Cultural Foundation Management Board: Patti Serrano

Domestic Violence Commission:Torey Gannon, Dan Hull

Housing and Human Services Commission: Dylan Raymond

33. CONTRACT: Nesbitt Contracting co.,

APPROVED Contract No. ST0809.404 with Nesbitt Contracting Co., for the federally funded construction of Gilbert Road Improvements Phase III – Chandler Heights Road to Hunt Highway in an amount not to exceed $5,003,084.48.

34. CONTRACT: MakPro Services, LLC

APPROVED Contract No. ST0809.103 with MakPro Services, LLC, for professional services for the federally funded Gilbert Road Improvements (Chandler Heights Road to Hunt Highway) – Public Outreach in an amount not to exceed $37,800.00.

This contract is for public outreach services consisting of providing and maintaining a project website, a 24/7 answering service and construction hotline for residents and businesses, weekly email updates to the public and coordination with contractor and City to mitigate public concerns and issues. Services also include implementation of the project Partnering Evaluation Program (PEP) and other related tasks, as necessary, to ensure compliance with local, state and federal requirements.

35. CONTRACT: Ritoch-Powell & Associates

APPROVED Contract No. ST0809.451 with Ritoch-Powell & Associates for the federally funded Gilbert Road Improvements (Chandler Heights Road to Hunt Highway) – construction management services in an amount not to exceed $770,142.23.

36. PURCHASE: Waxie Sanitary Supply

APPROVED the purchase of janitorial ad sanitation supplies from Waxie Sanitary Supply, utilizing the City of Tucson contract, in an amount not to exceed $220,000.00.

37. PURCHASE: Tata Consultancy Services, Ltd.

APPROVED the purchase of annual maintenance for the Tax Mantra system from Tata Consultancy Services, Ltd, sole source, in an amount not to exceed $152,680.00.

The Tax Mantra system is the City's privilege (sales tax) collection and licensing software system providing the administration and processing functionality necessary for collection of nearly 50% of the City's General Fund revenues. The original five-year maintenance agreement ended July 31, 2010. Because the City's client-based version is approaching obsolescence, the vendor will not enter into a long-term maintenance agreement. Therefore, ongoing maintenance agreements will only be renewed on an annual basis. Because the system is proprietary, the ongoing maintenance service is available only from Tata Consultancy Services. No other vendors are authorized to provide these maintenance services.

38. PURCHASE: SHI International Corporation

APPROVED the purchase of LANDesk Advanced Deployment Accelerator from SHI International Corporation, pursuant to Western States Contracting Alliance (WSCA) Contract No. ADSPO11-007500, in an amount not to exceed $68,705.00.

The City utilizes LANDesk software for managing user desktops and technology work requests for support. This software was initially installed 6 years ago primarily as a replacement for the Help Desk software HEAT that was used at the time. Since that time, Information Technology

(IT) has been working on ways to streamline support and provide even better customer service. The way LANDesk is currently configured does not meet the requirements for this tighter integration between the infrastructure, application and service support teams.

The LANDesk software the City already owns is capable of more robust reporting including creating and tracking a knowledge base of resolutions. To capitalize on these additional features and improve IT's ability to track resources and work, LANDesk's professional services are being requested to assist with implementation of the knowledge base and enhancement of workflows to streamline service delivery. This will include enhanced training on the updated LANDesk system enabling IT to be more self-sufficient with the support of this produce.

The package of services LANDesk is providing includes 15 days of professional services and 2 weeks of advanced training for City staff. The funding for this request was a FY 2013/14 decision package through the budget process.

39. PURCHASE: Nexus IS, Inc.

APPROVED the purchase of Cisco network equipment from Nexus IS, Inc., utilizing State of Arizona Contract No. ADSPO12-024622, in an amount not to exceed $73,124.69

Currently, neither the City of Chandler Police Department nor the Town of Gilbert Police Department has a 24-hour holding facility. Both agencies must process arrestees and then transport them to downtown Phoenix for booking at the Maricopa County Sheriff's Office (MCSO) detention facility where fees are charged for every inmate. In June 2014, Council adopted Resolution No. 4756 authorizing a partnership between the Chandler Police Department and the Town of Gilbert Police Department for a joint holding facility for prisoners to be held through their initial appearance hearing.

The site for the holding facility is in Gilbert and officers will need access to Chandler Police computer system resources including: the Records Management System, Livescan, MorphoTrak and other applications and data to properly process inmates at the facility. This will require the purchase and installation of network equipment compliant to security standards as identified in the U.S. Department of Justice's Criminal Justice Information Systems Security Policy.

40. PURCHASE: Norcon Industries, Inc.

APPROVED the purchase of Modernfold Partition Doors from Norcon Industries, Inc., sole source, in an amount not to exceed $112,643.00

The Chandler Community Center multi-purpose rooms are used extensively for City recreational activities as well as rentals for weddings, parties and meetings. The current configuration allows for use as one large room or partitioning into three smaller rooms. The facility currently has two large (64 ft x 16 ft) manual Modernfold partition doors that are used to divide the room. The original doors were replaced in 2002 with the existing doors. The current doors are in need of extensive repair and are often not able to close correctly. The manual process of closing the doors requires several staff members. The Building and Facilities Division has determined that the doors need to be replaced with new Modernfold doors. The new doors would be electric. These electric doors have proven to extend the longevity of the system by eliminating improper manual opening and closing by staff that has occurred in the past. Modernfold door is being specified because the original structural design of the building was engineered according to their specifications. The new doors will not add any additional weight or stress on the existing

infrastructure which would occur if a new door system is used. Norcon Industries is the sole source provider and installer of these doors for Arizona and New Mexico.

41. PURCHASE AND INSTALLATION: Shade 'N Net

APPROVED the purchase and installation of twelve (12) shade structures from Shade 'N Net, utilizing Mohave Contract No. 10M-SHADE-0104, in an amount not to exceed $74,535.75.

Over the past several years, City Council and Parks Staff have completed their goal of shading all of the playgrounds in the City park system. In an ongoing effort to provide shaded amenities in parks and recreation facilities, City Council and Parks Staff are now focusing on providing shade for spectators at all City baseball fields. As part of the FY 2014/15 budget, City Council allocated $75,000.00 for the installation of shade structures on fields 1-6 at Snedigar Sportsplex. This project will accomplish the goal set by that funding with each field having two shade structures, one on the first base line and one on the third base line. Upon approval, it will take approximately 16 weeks for design, construction and installation.

42. PURCHASE: 3M Library Systems

APPROVED the purchase of electronic library materials from 3M Library Systems, sole source, in a total amount not to exceed $150,000.00.

The Chandler Public Library currently provides access to electronic books and audio books through a consortium with Overdrive, Inc., which is called the Greater Phoenix Digital Library. As consortium members, we do not have a voice in how our contributed funds are spent. And while our cardholders have access to the collections, we do not own the materials. Our annual contribution for FY 2013/14 was $102,000.00. In addition, we supplemented by purchasing popular electronic books from Axis 360 for $24,000.00. The cost of those two services was $126,000.00 for FY 2013/14.

Chandler Public Library recently migrated to the Polaris Integrated Library System effective July 23, 2014. Purchasing electronic library materials from 3M Cloud will allow us to select and own materials to meet the specific needs of Chandler cardholders, provide access to a greater number of titles from a larger number of publishers, integrate seamlessly with the Polaris catalog for both downloading and customer records (cardholders will see their electronic materials in their library record), and give more budgetary and content control over the development of digital collections. As such, there is no longer need to participate in the consortium or purchase additional items from Axis 360.

43. USE PERMIT: El Herradero

The Mayor read two comment cards received in opposition to this item.

Mr. Gary Mohn submitted concerns not with the liquor license, but with the live music and the proximity to the neighborhood.

Another comment card (without a name) stated opposition to the live music.

APPROVED Use Permit LUP14-0003 El Herradero, Series 12 Restaurant License, to sell and serve liquor as permitted for on-premise consumption in an existing restaurant and to allow live

entertainment indoors at 474 W. Ray Road, east of the NEC of Ray Road and Iowa Street. (Applicant: Amanda Adams.)

COUNCILMEMBER HARTKE noted this permit includes a one year time limit and encouraged neighbors to call if there are concerns.

BACKGROUND

The subject restaurant is located within Thunderbird Plaza. Thunderbird Estates single-family subdivision is north. The previous restaurant, El Zacatecano, received Liquor Use Permit approval in January 2013, with a one-year time condition to evaluate their live entertainment. The new restaurant proposes to continue having live entertainment in an indoor area at the front of the building, furthest from the residential subdivision.

The suite is approximately 2,400 square feet with 60 customer seats. Four staff members are employed by the restaurant. Hours of operation are from 9 a.m. until 8 p.m., Monday through Thursday and 9 a.m. until midnight Friday through Sunday. Live entertainment, including live music and dances, is proposed to continue. The hours of live music would occur from 1 p.m. until 4 p.m. on the weekend and dances with live music would occur Friday from 9 p.m. until midnight.

Planning Staff has added conditions to address any potential noise concerns due to the proximity of the single-family subdivision. Planning Staff recommends a one-year time limit to allow evaluation of the compatibility of the live entertainment with the surrounding residential and business developments.

Planning Staff supports the request, with conditions, finding that the restaurant with occasional live entertainment can be compatible if it is controlled so as to not unreasonably disturb the surrounding businesses and residents. The one-year time condition allows evaluation of the compatibility of the live entertainment.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 16, 2014. One property owner was in attendance with questions regarding the type of Liquor License.

Planning Staff received several phone calls in opposition to the request. Issues stated relate to the following: proximity to residences, noise generated from live music and dancing, nature of cliental, does not want business becoming a nightclub, serving of alcohol, residential property values decrease and criminal activity increases.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed (4-1) with Commissioners Baron and Cunningham absent.

The item was moved from the consent agenda for a presentation and discussion at Planning Commission. Several residents of Thunderbird Estates stated their opposition to the request. The residents' concerns are summarized as follows: having a bar go into their neighborhood is incompatible, the bar before had live music, loud noise and inadequate parking, does not want a cabaret or similar use in their neighborhood, serving liquor is okay, but not live music or entertainment including dancing. The quality of life was a concern for those who work on the weekends and do not want to hear music in their home on Friday nights.

The Planning Commission asked the residents if they have heard noise and loud music from the current owner. The response was there is none from the current owner. The restaurant owner indicated this is a family business, not a bar, and she wants to be a good neighbor. The dissenting Commissioner indicated the business is too close to residential to have live music and asked Planning Staff about parking. Parking is shared among the tenants of the shopping plaza. The subject restaurant requires approximately 25 parking spaces and about 40 are available. The Planning Commission recommended an additional stipulation, Condition No. 8, regarding a contact name and phone number to resolve noise complaints.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
3. The Liquor Use Permit is granted for a Series 12 license only and any change of license shall require reapplication and new Liquor Use Permit approval.
4. The Liquor Use Permit is non-transferable to any other location.
5. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
6. No noise shall be emitted from the live entertainment occurring indoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
7. The site shall be maintained in a clean and orderly manner.
8. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.

44. USE PERMIT: Bourbon Jacks Bar & Grill

CONTINUED TO THE SEPTEMBER 11, 2014 COUNCIL MEETING.
Use Permit LUP14-0007 Bourbon Jacks Bar & Grill, Series 6 Bar License, to sell and serve liquor as permitted for on and off premises sales, indoors and within an outdoor patio, and live entertainment indoors located at 11 W. Boston Street, Suite 1. (Applicant: Lori Rutten, Howdy Partners LLC.)

MR. RICH THURMAN, 62 W. Cedar, Chandler, stated he is the owner of Shoe Thrill, which is next to Bourbon Jacks, and has been in the location for 2 years. His main concern is the establishment's propensity to over serve the customers. He commented on an incident two weeks and questioned the decisions of management. In the afternoon hours he will find patrons sick in the shared restroom facilities. He is very concerned with the management of the establishment and the safety of the patrons.

The Mayor asked staff to address the difference between the series 12 license they currently have and the series 6 which is being requested.

SR. PLANNER JODIE NOVAK stated that a series 12 Restaurant license requires the establishment to have 40% of its sales be food. The series 6 is being sought because the state did an audit and Bourbon Jacks was not meeting the food sales of 40%. The series 6 (Bar license) still allows the sale of alcohol along with the sale of food, but not held to the 40% requirement. She added however, the Series 6 does allow sales of liquor to leave the premises.

MS. MARY KRAUSMAN, 5102 S. Fern Court, Chandler stated she is from Shoe Thrill. Her daughter owns the store and she and her son-in-law work there. The businesses in the mall share a common back area and impaired customers from Bourbon Jacks will wander in to these businesses from the back entry. This back entry is supposed to be for business personnel only. She said there are stipulations as to the hours and volume they could play their music, which is not being followed. They cannot conduct business when this occurs. She too has observed the significantly impaired clients from Bourbon Jacks and would like Council to not change their license from a 12 to a 6. At the very least, she would appreciate Council investigate the establishment.

VICE MAYOR HEUMANN inquired if the City has received any police reports. MS. NOVAK stated she did not request any police reports for tonight's meeting. She stated they have been in business since 2012, but she had never been made aware of any issues with the establishment. The Vice Mayor also inquired whether parameters had been stipulated for the time and volume of music to be played. Ms. Novak was unaware if any specific stipulations had been set; the agreement was general in stating the music is to be controlled so it does not unreasonably disturb the area.

Vice Mayor Heumann thought there had been stipulations on other establishments that went from a series 12 to a series 6 liquor license, which listed a one year review stipulation, to see how the change would affect the area. He noticed this request did not list that stipulation. Ms. Novak stated a stipulation would have been added if they had received concerns or comments from the public through the neighborhood meetings or comments at the Planning Commission meetings they conduct for this change but they had not received any comments concerning this application.

COUNCILMEMBER HARTKE asked Ms. Novak if the City could put a time stipulation on the request, she replied in the affirmative. Ms. Novak said when problems arise, complainants should contact the police if the situation warrants, or planning staff. She also encourages business owners to communicate with each other to attempt to address concern. Ms. Novak suggested the item could be continued to gather more information.

COUNCILMEMBER DONOVAN inquired the meaning of "resident" as it applies to Stipulation No. 5. She asked if this extends to business neighbors. Ms. Novak said that stipulation would apply. Typically surrounding businesses are similar businesses or closed in the evening when these types of uses are occurring.

BACKGROUND

The subject site is located west of Arizona Avenue on the south side of Boston Street in Downtown Chandler. In April 2012, the restaurant was approved a Series 12 Restaurant License for liquor inside and on an outdoor patio as well as live entertainment indoors. The Series 12 Liquor License requires at least 40% of gross revenue from the sale of food. The State Department of Liquor Licenses and Control determined this requirement was not met; therefore, the restaurant is requesting a Series 6 Bar License.

The application requests Liquor Use Permit approval to sell liquor as permitted under a Series 6 Bar License within an existing restaurant. A series 6 Bar License allows the sale and service of all spirituous liquors and off-sale "To Go" privileges.

The restaurant is approximately 2,600 square feet with approximately 67 seats inside and 15 seats outside on a small patio. The interior includes a stage for live music.

PUBLIC/NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 10, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit reapplication and approval.
2. The Liquor Use Permit is granted for a Series 6 Bar License only and any change of licenses shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents.

45. USE PERMIT: Fast & Furious Motorsports LLC

APPROVED Use Permit ZUP14-0010 Fast & Furious Motorsports LLC, to allow a used motor vehicle dealer in Planned Industrial District (I-1) zoning located at 4043 W. Kitty Hawk Way, Suite 5. (Applicant: Tim Zarbock.)

BACKGROUND
The subject site is located within the Stellar Air Park industrial park west of McClintock Drive and south of Chandler Boulevard. The site's zoning of Planned Industrial District (I-1) allows a variety of storage, wholesale, warehousing, manufacturing assembly type uses and accessory/incidental office and retail sales. Use Permits have been approved in this same industrial park for automotive sales, vehicle repair and customization businesses. In the same building, Suite 7 is occupied by a golf cart dealer and repair business which received Use Permit approval in 2010. There is a machine shop in Suite 1.

The application requests Use Permit approval to allow a used motor vehicle dealer in Planned Industrial District (I-1) zoning. The dealer sells pre-owned vehicles of which approximately 20 are stored and displayed in the warehouse. The State Motor Vehicle Division requires used motor vehicle dealers to maintain at least two vehicles on-site. The tenant space is approximately 6,000 square feet and is within a multi-tenant one-story light industrial warehouse building.

The business will be open Monday through Saturday from 9 a.m. to 5 p.m. by appointment only. There is no on-site washing, detailing or repair of vehicles.

DISCUSSION
The proposed automotive use is compatible with existing tenants and businesses in the industrial park. The applicant represents a business with limited hours of operation and stores vehicles within a warehouse not affecting on-site parking.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 19, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Narrative, Site Plan/Floor Plan) shall void the Use Permit and require new Use Permit application and approval.
2. The property shall be maintained in a clean and orderly manner.
3. There shall be no auto mechanical work, auto body, auto detailing or washing of vehicles.
4. On-site advertising of vehicles for sale is prohibited.

46. USE PERMIT: Oakland Business Park

APPROVED Use Permit ZUP14-0014 Oakland Business Park, to allow a used motor vehicle dealer in Planned Industrial District (I-1) zoning located at 500 N. 56th Street, Suite 8. (Applicant: James Hollins, Appearance Motorsports.)

BACKGROUND
The subject site is located north of Chandler Boulevard on the west side of 56th Street just south of Galveston Street. The industrial development, Oakland Business Park, consists of two multi-tenant, one-story light industrial warehouse buildings which include an ancillary office space and warehouse area for each tenant space. The Planned Industrial District (I-1) zoning allows a variety of storage, wholesale, warehousing, manufacturing, assembly type uses and accessory/incidental office and retail sales. Since the late 1980s, there have been several Use Permits granted for commercial uses within this industrial development including a wholesale auto dealership, an auto detail shop, an equipment rental store, a lawnmower sales and repair store, a swim school and an auto sales broker. The tenant space is approximately 1,500 square feet including a warehouse to store vehicles.

In 2012, a Use Permit was approved for this tenant space to operate a window tinting business with on-site automotive tinting, paint protection film application, automotive glass repair and replacement and automotive detailing for vehicles. This business has closed.

The business will not have washing or servicing of vehicles. The business opens at 10 a.m. and closes Monday Through Thursday at 6 p.m., Friday at 4 p.m. and Saturday at 2 p.m. The tenant space is allocated eight parking spaces by the landlord. Two spaces are for employee parking and two spaces are for customer parking. There are approximately 92 parking spaces throughout the development.

The proposed automotive use is compatible with existing businesses in the development. The applicant represents a business with limited hours of operation and a need for a few parking spaces.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice letter was mailed in lieu of a meeting due to no residential within the notification area. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Narrative, Site Plan, Floor Plan) shall void the Use Permit and require new Use Permit application and approval.
2. The property shall be maintained in a clean and orderly manner.
3. There shall be no auto mechanical work, auto body, auto detailing, or washing of vehicles,
4. On-site advertising of vehicles for sale is prohibited.

47. USE PERMIT: Tony Sacco's

APPROVED Use Permit LUP14-0009 Tony Sacco's, Series 12 Restaurant License, to sell liquor as permitted under for on-premise consumption both indoors and within an outdoor patio located at 4960 S. Gilbert Road, Suite B-10, west of the NWC of Gilbert and Chandler Heights roads, within the Chandler Heights Marketplace shopping center. (Applicant: Jared Repinski.)

BACKGROUND
The subject site is located at the northwest corner of Chandler Heights and Gilbert roads, within the Chandler Heights Marketplace shopping center. The subject suite is located at the western end of the development along the Chandler Heights Road frontage, and is part of an inline shops space. The restaurant is located between an optometrist and a beauty salon.

The restaurant specializes in pizzas, sandwiches and wraps. The subject suite is less than 4,000 square feet providing seating for approximately 116 patrons. Additionally, two outdoor patios are provided totaling 550 square feet and seating approximately 40 patrons. The outdoor patios flank the entrance with the western patio extending around the edge of the suite. Based on the layout of the patios, a pinch point is provided that would reduce clearance for pedestrian movements to a width of approximately three feet. Planning Staff has added a condition ensuring that sufficient clearance is provided between the parking lot and the patios.

The restaurant operates Sunday through Thursday from 10 a.m. to 10 p.m. and Friday and Saturday from 10 a.m. to 11 p.m. Live entertainment is not proposed; however, piped music will be played both indoors and on the outdoor patio. Although the nearest residential property is south of the arterial, Planning Staff has added a condition ensuring that the music does not unreasonably disturb area residents.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 25, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit granted is for a Series 12 license only and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require a new Liquor Use Permit application and approval.
4. The site and outdoor patio shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents.
6. The applicant shall work with Planning Staff to ensure that adequate pedestrian clearance is provided between the parking lot and patios.

48. LIQUOR LICENSE: Tony Sacco's

APPROVED a Series 12 Restaurant Liquor License (Chandler #153833L12) for Jared Michael Repinski, Agent, Brydon LLC, dba Tony Sacco's, 4960 S. Gilbert Road, Suite 10. A recommendation for approval of State Liquor License #12079932 will be forwarded to the State Department of Liquor Licenses and control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

49. USE PERMIT: Tokyo Joe's

APPROVED Use Permit LUP14-0008 Tokyo Joe's, Series 12 Restaurant License, to sell and serve liquor as permitted under for on-premises sales indoors and within an outdoor patio located at 800 N. 54th Street, Suite 5. (Applicant: Andrea Lewkowitz/Lewkowitz Law Office, PLC.)

BACKGROUND
This new restaurant will be located in Chandler Pavilions at the southwest corner of 54th and Harrison streets. The tenant space is approximately 2,356 square feet with approximately 67 seats inside and 15 seats outside. The tenant space was formerly occupied by a barbecue store. Other adjacent businesses include Sports Clips hair salon and Jimmy John's restaurant.

PUBLIC/NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 12, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioners Baron and Cunningham absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion, modification or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit reapplication and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant License only and any change of licenses shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.

50. LIQUOR LICENSE: Tokyo Joe's

APPROVED a Series 12 Restaurant Liquor License (Chandler #153416L12) for Andrea D. Lewkowitz, Agent, Tokyo Inc, dba Tokyo Joe's, 800 N. 54th Street, Suite 5. A recommendation for approval of State Liquor License #12079929 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

51. LIQUOR LICENSE: Springfield's Eagles Nest Grill

APPROVED a Series 7 Beer and Wine Bar Liquor License (Chandler #153991L7) for Lawrence Edward Elliget, Agent, HSP Resorts LLC, dba Springfield's Eagles Nest Grill, 1200 E. St Andrews Boulevard, Suite A. A recommendation for approval of State Liquor License #07070624 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Aldecoa Investors, Inc., dba Springfield's Eagles Nest Grill.

52. LIQUOR LICENSE: Eagles Nest Grill

APPROVED a Series 12 Restaurant Liquor License (Chandler #153991L12) for Lawrence Edward Elliget, Agent, HSP Resorts LLC, dba Springfield's Eagles Nest Grill, 1200 E. St. Andrews Boulevard, Suite A. A recommendation for approval of State Liquor License #12079951 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Aldecoa Investors, Inc., dba Springfield's Eagles Nest Grill.

53. LIQUOR LICENSE: Burger 21

APPROVED a Series 12 Restaurant Liquor License (Chandler #153532L12) for Daniel Thomas Lenhauser, Agent, JDJD LLC, dba Burger 21, 2855 W. Ray Road, Suite 1. A recommendation for approval of State Liquor License #12079934 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this

license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as QMG Vail Arizona LLC, dba Qdoba Mexican Grill.

54. LIQUOR LICENSE: Hurricane Grill & Wings

APPROVED a Series 12 Restaurant Liquor License (Chandler #153448L12) for Theresa June Morse, Agent, Franchise partners LLC, dba Hurricane Grill & Wings, 7450 W. Chandler Boulevard. A recommendation for approval of State Liquor License #12079929 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Triple J Restaurant Group LLC, dba Speak Easy Saloon.

55. LIQUOR LICENSE: Seksun Sushi Goaround

APPROVED a Series 12 Restaurant Liquor License (Chandler #147810L12) for Yuhua Zhao, Agent, Seksun Sushi, Inc., dba Seksun Sushi Goaround, 1175 W. Ray Road, Suite 1. A recommendation for approval of State Liquor License #12079950 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as CRI Holdings LLC, dba Seksun Sushi Goaround.

56. LIQUOR LICENSE: Silk True Asian

APPROVED a Series 12 Restaurant Liquor License (Chandler #153901L12) for Bussara Ngoitaku Irwin, Agent, Silk True Asian LLc, dba Silk True Asian, 4995 S. Alma School Road, Suite 1. A recommendation for approval of State Liquor License #12079943 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Silk True Asian LLC, dba Silk True Asian.

57. LIQUOR LICENSE: Sir Veza's Taco Garage

APPROVED a Series 12 Restaurant Liquor License (Chandler #153854L12) for Raymon C. Flores, Agent, Chandler Taco Co. LLC, dba Sir Veza's Taco Garage, 3111 W. Chandler Boulevard, Suite 2146. A recommendation for approval of State Liquor License #12079954 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as F & F Restaurant Group, Inc., dba Rock Taco Cantina.

58. CONTINUED LIQUOR LICENSE: Max & Ted's 480

CONTINUED TO SEPTEMBER 11, 2014, Liquor License, Series 12, for William Clude Mohler, Jr., Agent, Mohler Enterprises LLC, dba Max & Ted's 480, located at 480 N. Arizona Avenue to allow the applicant time to complete the requirements for a new Use Permit.

59. SPECIAL EVENT LIQUOR LICENSE: The Leukemia & Lymphoma Society

APPROVED a Special Event Liquor License for the Leukemia & Lymphoma Society for the Mark Taylor Summer of Love Community Event on August 23, 2014, at San Cervantes Apartments, 400 N. Coronado Street. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

60. SPECIAL EVENT LIQUOR LICENSE: Ballet Folklorico Quetzalli-AZ

APPROVED a Special Event Liquor License for Ballet Folklorico Quetzalli-AZ for the Rockin' Taco Street Fest on September 13, 2014, at El Palacio Restaurant, 2950 E. Germann Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

61. SPECIAL EVENT LIQUOR LICENSE: St. Joseph the Worker

APPROVED a Special Event Liquor License for St. Joseph the Worker for the SanTan Octoberfest on October 4, 2014, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

62. SPECIAL EVENT LIQUOR LICENSE: Chandler Center for the Arts

APPROVED a Special Event Liquor License for Chandler Center for the Arts for the Mariachi Festival on October 12, 2014, at the Chandler Center or the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

63. SPECIAL EVENT LIQUOR LICENSE: Chandler Center for the Arts

APPROVED a Special Event Liquor License for the Chandler Center for the Arts for the Larry The Cable Guy Show, October 18, 2014, at the Chandler Center for the Arts, 250 N. Arizona Avenue.

A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

64. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Rock the Block event on November 8, 2014, on Arizona Avenue between Frye Road and Chandler Boulevard. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

65. FINAL PLAT: Kyrene 202 Business park

APPROVED Final Plat FPT14-0006 Kyrene 202 Business Park, for a business park located at the southwest corner of Kyrene Road and Gila Springs Place that was approved by Council in early 2013. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

67. APPEAL – AUSTIN ETAL V. CITY OF CHANDLER

AUTHORIZE the filing of a cross-appeal of the trial court's ruling on reimbursement of City's costs and attorney fees.

68. CITY MANAGER CONTRACT: Rich Dlugas

APPROVED an employment agreement with Rich Dlugas for an annual base salary of $203,088.00 effective July 1, 2014.

ACTION

66. USE PERMIT: Washington Residence

USE PERMIT ZUP14-0005 Washington Residence, to allow a single-family dwelling within the MF-2 (Multiple-Family Residential District) on property located at 380 S. Washington Street. (Applicant: Robert Jarman.)

BACKGROUND
This case was continued from the Council meeting on July 10, 2014, to August 14, 2014, due to the applicant's scheduling conflicts and needed time to review the Planning & Zoning commission meeting minutes of June 18, 2014.

The subject site is a vacant lot zoned MF-2 (Multi-Family Residential District). There are two vacant lots and a single-family dwelling to the south abutting this property. To the east is property zoned Regional Commercial (C-3) developed with The Door Christian Center church. To the northeast is the former Dunn-Del Re, commonly referred to as the CMC Steel facility. To the north is a single-family dwelling and a vacant lot.

GENERAL PLAN/AREA PLAN

The General Plan designates the subject site as Revitalization/Infill Growth Area identifying areas suitable for a mix of land uses including commercial, office, public and various residential. The South Arizona Avenue Corridor Area Plan further delineates the planned land uses downtown. The Area Plan designates this property as High Density Residential/Mixed use (18-40 du/ac). This category, unique to the downtown corridor, is intended to create a strong sense of place while at the same time provide an urban living lifestyle. Appropriate mixed uses consisting of high-density residential, selected commercial and office are desired.

SITE/HOME DESIGN

The request is to allow a 1,390 livable square foot single-family residential home upon the 7,500 square foot residential lot. The single-family dwelling is designed in conformance with the FM-2 zoning regulations including a minimum front yard building setback of 20 feet, a rear yard setback of 10 feet, side yard setbacks of 5 feet and 10 feet, and maximum lot coverage of 45%. A six-foot high masonry block wall will be along the rear and side property lines. The three bedroom, two bath home includes a two-car garage and a rear yard covered patio.

PLANNING REPORT:

The Planning Commission and Planning Staff recommend denial of the Use Permit request. The land use is not consistent with the South Arizona Avenue Corridor Area Plan which designates this property to be a part of planned High Density Residential/Mixed Use. The surrounding area to the east includes a former steel plant site, an existing church and a City park. The steel plant site is in the zoning process to develop a high density residential development. While a single-family home on this property is not unlike nearby existing uses, its construction would be inconsistent with the adopted land use plans for the area. Incremental zoning decisions will be considered in the area that together will serve to further the long term plans for the area. The Planning Commission and Planning Staff are of the opinion that permitting a single-family home on the property, while inconsistent with the adopted Area Plan, will act to delay the implementation of the City's planning objectives for the area.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 21, 2014. There was one neighbor in attendance inquiring about the project. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to deny passed 5-0 with Commissioners Cunningham and Donaldson absent.

RECOMMENDED ACTION

Upon finding the request to be inconsistent with the General Plan and South Arizona Avenue Corridor Area Plan, the Planning Commission and Planning Staff recommend denial.

MS. JODIE NOVAK, Senior Planner, summarized the background for this case.

MR. ROBERT JARMIN, 902 S. Kachina, Mesa stated he and his brother are the applicants for the project.
MR. EDWIN JARMIN, stated they would like to build a single residential home on the land, instead of the three-plex which is allowed as well, but without a Use Permit, as required by the single family unit. They believe the single residential unit would be a better fit for the surrounding community than the three-plex. The surrounding properties are single family homes.

MAYOR TIBSHRAENY inquired about the existing zoning for the property and that it allows for a three-plex without a Special Use Permit. Ms. Novak explained the MF-2 zoning allows for a multi-family development such as apartments, up to 18 dwelling units per acre. This is a very small lot, and in order to meet the development standards the applicant will more than likely have to develop vertically. A duplex would need Council approval; a triplex would not.

MOTION BY COUNCILMEMBER HARTKE, SECONDED BY VICE MAYOR HEUMANN TO DENY USE PERMIT ZUP14-0005 Washington Residence, to allow a single-family dwelling within the MF-2 (Multiple-Family Residential District) on property located at 380 S. Washington Street.

MOTION CARRIED UNANIMOUSLY (7-0).

PUBLIC HEARINGS:

PH1. CHANDLER CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR FISCAL YEAR 2013/2014

MAYOR TIBSHRAENY OPENED THE PUBLIC HEARING AT 7:42 P.M.

Each year, the City of Chandler is required to publish a consolidated Annual Performance and Evaluation Report (CAPER) and submit the document to the U.S. Department of Housing and Urban Development (HUD). The report is a required performance report that meets three basic purposes:

- Provides HUD with necessary information for the Department to meet its statutory requirements to carry out Community Planning and Development programs;
- Provides information necessary for HUD's Annual Report to Congress; and
- Provides the City of Chandler an opportunity to describe to its citizens the successes in meeting objectives stipulated in the 2010-2014 Consolidated Plan for its community development programs.

The fiscal year 2013-2014 CAPER has been prepared to meet HUD's requirements for an annual performance evaluation. This report summarizes the City's accomplishments for the Community Development Block Grant (CDBG), HOME Investment partnership (HOME) and Neighborhood Stabilization Programs (NSP).

In addition, the CAPER describes accomplishments of General-Funded social service programs including activities funded with Acts of Kindness, Social Services Funding, Youth Enhancement Program (YEP) and Veteran's Transportation funds.

The City strives to holistically address the needs of its neighborhoods through the provision of a combination of general and federally funded programs. The goal to do so is driven by an ongoing commitment to neighborhoods by the Mayor and City Council. This year, the Mayor launched Next Door, an online application to connect residents with their neighbors. In addition, the inaugural Neighborhood Excellence Awards were presented by the Mayor at the State of the City Address to outstanding neighborhood leaders and neighborhoods. In addition to these programs, the City, with the assistance of a citizen panel, performed a thorough review of the City ordinances that govern parking in neighborhoods. These new and continuing efforts at neighborhood outreach, recognition and participation help to maintain a steady focus on improving Chandler's neighborhoods.

Providing comprehensive programs for neighborhood revitalization in Chandler's low to moderate-income areas continued to be a priority for Chandler's federally funded programs in fiscal year 2013-2014. CDBG funded new Americans with Disabilities Act (ADA) compliant curb ramps, sidewalks and drives in the Park Manors neighborhood which positively impacted 115 homes in the neighborhood by improving mobility and connectivity. The CDBG-funded Blight Elimination Program continued to provide enhanced, proactive code enforcement efforts in the City's CDBG-eligible Census Tracts. CDBG funding of the Voluntary Demolition Program resulted in the demolition of one substandard dwelling.

Housing programs were also an area of emphasis in fiscal year 2013-2014. Programs focused on creating first-time homebuyers and assisting existing homeowners with housing rehabilitation and emergency repairs. Newtown's Community Land Trust Program created first-time homeownership opportunities for nine new homeowners utilizing NSP and HOME funds. Sixty-five low to moderate income homeowners were assisted through housing rehabilitation programs which range from emergency home repair to more substantial housing rehabilitation. In addition, the City provided HOME funding to Habitat for Humanity for the reconstruction of a single-family residence. The provision of these programs serves to improve the living conditions of residents, while stabilizing the housing stock in their neighborhoods.

Chandler funding, through a combination of local and federal sources, continued to support Chandler's homeless and near-homeless populations. Individuals and families were assisted to prevent their eviction and provided emergency shelter and transitional housing through programs funded by the City of Chandler. In addition, over 88,010 food boxes were provided through local food banks to aid in the fight to prevent hunger in Chandler.

In fiscal year 2013-2014, Chandler continued to grow programs and partnerships to assist the homeless. The For Our City-Chandler I-HELP (Interfaith Homeless Emergency Lodging Program) provided overnight emergency shelter for 192 individuals at faith communities throughout Chandler, while assisting those individuals with over 2,500 meals.

With the assistance of Chandler Christian Community Center, I-HELP successfully implemented a case management component for I-HELP clients by securing the program's first Case Manager in February 2014. With the inclusion of this program, 47 homeless individuals in Chandler have engaged in case management resulting in the employment of 18 individuals, the housing of 6 individuals and the referral of 17 individuals to medical and mental health treatment. The collaboration among For Our City partners, Chandler Christian Community Center and the City continues to result in enhanced services for Chandler's homeless. Rounding out these programs is the continuation of the Tenant Based Rental Assistance (TBRA) program for homeless individuals and families funded by the HOME program. Seventeen households were supported through rental assistance and case management services throughout the fiscal year.

In many areas, the City far extended its Five-Year Plan goals to meet the needs of Chandler's low and moderate-income residents. The investment of General Fund resources leveraged federal funds to significantly address additional needs such as programs for foster children, domestic violence victims, daycare assistance and utility assistance through Social Service funding. During fiscal year 2013-2014, the City allocated $424,043.00 to 17 programs that served 22,176 low-and-moderate-income residents.

Chandler continues to be a leader in support of youth services and youth activities. The purpose of the YEP is to provide a catalyst for the development and operation of programs for Chandler youth ages 0-18. The Mayor and City Council are aware of the problems facing today's youth and are committed to funding a variety of programs that provide positive activities. YEP funding is granted to a diverse group of nonprofit organizations located throughout the community. During fiscal year 2013-2014, the City allocated $631,438.00 to 29 programs that served 19,316 youth and their families.

As part of the process for creating the CAPER, the City is required to conduct a 15-day public comment period and conduct a public hearing at a Chandler City Council meeting. The public comment period for the fiscal year 2013-2014 CAPER runs from August 6, 2014, through August 21, 2014. The draft report will be available for review online at www.chandleraz.gov/communitydev during the comment period. In addition, the public is invited to review the draft document at the City of Chandler's Neighborhood Resources Division office or at the Chandler Main Library. The final report will be reviewed by the City Council on September 11, 2014, for approval.

DISCUSSION:

MS. JENNIFER MORRISON, Neighborhood Resources Division Director, summarized the Annual Performance and Evaluation Report document. The report summarizes the City's accomplishments for the Community Development Block Grant (CDBG), HOME Investment partnership (HOME) and Neighborhood Stabilization Programs (NSP).

Along with the Federal funds Chandler receives, the City contributes $1.2 million from the General Fund for social services every year. There is a tremendous amount of human capital Chandler receives through all the volunteering as well. She then presented some statistics where these funds were used.

She stated this is their public comment time until August 21st, comments can be submitted to the city or called in. All public comments will be included in the final report and final approval of the document will be at the September 11th Council meeting.

VICE MAYOR HEUMANN stated his appreciation for staff's involvement.

There were no comments from the public.

MAYOR TIBSHRAENY CLOSED THE PUBLIC HEARING AT 7:48 p.m.

PH2. ANNEXATION: Ocotillo Road and the Union Pacific Railroad

MAYOR TIBSHRAENY OPENED THE PUBLIC HEARING AT 7:48 p.m.

MR. KEVIN MAYO, Planning Manager, explained the requested annexation will 'clean up' the City's limits at the intersection of Ocotillo Road and the Union Pacific Railroad. Specifically, the annexation consists of three parcels; two that encompass the intersection of railroad right-of-way and Ocotillo Road right-of-way, and the remaining parcel includes a segment of existing right-of-way on Ocotillo Road and a part of a larger City-owned property that will be used for a well site.

Background:
Typically, right-of-way annexations are managed through an alternative annexation process that does not require a public hearing prior to adoption by City Council. However, this request requires the public hearing process in order to annex property that is owned by the City and the Union Pacific Railroad, which is not public right-of-way.

Per Arizona Revised Statutes, the City Council must hold a Public Hearing to gather input regarding a proposed annexation prior to taking action on the request. No action is required of Council at this time.

There were no comments from the City Council or the public.

MAYOR TIBSHRAENY CLOSED THE PUBLIC HEARING AT 7:49 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor thanked Commander Dale Walters and his staff in the Chandler Police department for the work they have done in the community.

Mayor welcomed the new CAPA Director Matt Burdick, and recognized and thanked Christine Mackay for all her hard work as Chandler's Economic Director. She has accepted a position with the City of Phoenix.

He highlighted the shade structures which were approved on the agenda. Item 41 which approved the installation of shade structures for six ball fields at the Snedigar Sports complex.

Mayor provided an update on two other parks in Chandler. The City Council accelerated the design and construction of Centennial and Valencia Parks over the last two budget cycles. These parks should be completed by September, with a dedication sometime in the Fall.

He announced the Chandler Center of the Arts will celebrate their 25th Anniversary the week of August 18th.

He reminded Chandler residents of proposition 470 on the August 26th ballot. This is the Home Rule option that is on the ballot every four years.

B. Councilmembers' Announcements

COUNCILMEMBER WENINGER congratulated Christine Mackay on her new position. He thanked her for all her help when he was newly elected to council and throughout the years.

COUNCILMEMBER SELLERS stated what a pleasure it had been to work with Chris all these years and wished her well. In addition, he recognized Lisa Butters son who is the number one ranked player under the age of 6 years old in the state. He has been invited to play in the US Kids Golf World Championship at Pinehurst North Carolina. He knew Lisa when they worked on the Chandler Transportation Commission prior to him serving on Council.

VICE MAYOR HEUMANN congratulated Ms. Mackay for her new position with the City of Phoenix and all the hard work and projects that have benefited Chandler. He reminded everyone to keep a look out for kids as school is back in session.

Vice Mayor reminded everyone of the Primary Election on August 26th, and asked everyone to vote.

COUNCILMEMBER DONOVAN thanked Chris for her passion and all the projects she worked on for the City.

COUNCILMEMBER HARTKE thanked and congratulated Chris. He recalled his beginnings with the City and how Christine was on a tour with him at the airport. He mentioned how many of those attending the event made an extra effort to speak to him regarding Chris and her skills at being in Economic Development.

Councilmember Hartke announced the grand opening of the new Trauma Center wing at Chandler Regional Hospital.

COUNCILMEMBER ELLEN noted August is Drowning Prevention Month, and gave the reminder to watch everyone around water, not just children. She also asked people watch Councilmember Weninger's Chandler in Focus on human trafficking.

She welcomed Matt to the City of Chandler and wished Christine all the best.

C. City Manager's Announcements

City Manager Rich Dlugas congratulated Chris on her new career with the City of Phoenix and her hard work over the last 16 years in Economic Development.

Adjournment: The meeting was adjourned at approximately 8:03 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: September 8, 2014.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 14th day of August 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 9 day of September 2014.

_____
City Clerk

MINUTES OF SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Thursday, August 14, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 5:30 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance: Rich Dlugas, City Manager; Marsha Reed, Assistant City Manager; Nachie Marquez, Assistant City Manager; Kay Bigelow, City Attorney; Marla Paddock, City Clerk; RJ Zeder, Transp. & Dev. Director; Chris MacKay, Economic Development Director; Matt Burdick, CAPA Director; Jeff Kurtz, Planning Administrator; Jodie Novak, Senior Planner; Dawn Lang, Management Services Director; Dave Siegel, Municipal Utilities Director; Dan Cook, Transportation Manager.

Downtown and South Arizona Avenue Bond Improvements

MR. DAN COOK, Transportation Manager reviewed the bond authorizations approved at the 2007 Bond Election. He stated there was an Arizona Avenue Bond Committee and they decided to break the improvements to four separate funds. Improvements to Arizona Avenue were included in the Streets, Parks, Water, and Sewer Bonds. The total authorization was $60 million for the bond amount including the issuance.

Mr. Cook then reviewed the projects that were completed to date which total to be $17,965,340. There was $17,204,640 of General Obligation Bonds used for Streets and $457,700 used for Parks.

He noted there were remaining projects as listed in the PowerPoint presentation.

Mr. Cook showed a map displaying the Downtown South Arizona Avenue Proposed Projects Key Map.

Washington Street-Frye Road to Elgin Street: Estimated: $2,096,000. This project is related to the Alta Chandler project recently approved by Council. This includes two lanes with bike lanes, parking, and utility replacements.

Sites 4 & 5: Estimated: $3,331,000. Mr. Cook said the suggested improvements are made with assumptions of what the developer would be responsible for. The developer would construct Dakota, California, Essex and half of Boston and Commonwealth Street. The City would do the south half of Boston, and the water and sewer lines. He noted Dakota Street from Buffalo Street to Commonwealth Avenue, through the San Marcos is an estimated cost of $1.5 million.

This is still under discussion. COUNCILMEMBER WENINGER asked if this was in participation with the developer. Mr. Cook said it was not part of the Site 4 & 5, but he is showing it as it has a benefit to the site.

Site 6: Estimated: $2,753,000. This includes reconstruction of Oregon Street, and mill and overlay on Chicago Street, landscape, streetlights, water and sewer lines with a redundant water feed to Sites 4 & 5, along with some utility abandonments in Wall Street. The VICE MAYOR asked if the north alley water line was currently serving the "Square'. Mr. Cook replied it was, however it is an old line and they would look to increasing it to 12" to help with redundancy.

Arizona Avenue and Fairview Street Projects:
Arizona Avenue: Estimated: $6,421,000. Four lanes with bike lanes and a third southbound lane south of Fairview, parallel parking and decorative streetlights, 12 inch water line, and right of way acquisition. He stated the future abandonments that are shown on the map relate to future developments and would not need to be done as part of this city project.

Fairview Street: Estimated $7,844,800. Intersection improvements would include an installation of a signal. Fairview Street could be a separate project. In response to a question from Vice Mayor HEUMANN, Mr. Cook said the $7.4 estimate is the right of way cost for the trailer park. The construction, right of way, design and contingencies would be around $12 million dollars. He noted that California Street does not go through the trailer park. By extending California Street, it will allow better circulation off of Arizona Avenue. Mr. Cook said the numbers do include acquisition and relocation

Washington Street – Elgin to Pecos Rd: Estimated for right of way $1,939,800. Estimate for Construction $5,139,000. Two lanes with bike lanes, angled parking and 5' sidewalk on west side, parallel parking and 8' sidewalk on the east side, and decorative LED streetlights, 16" water main, 8" and 10" sewer line and a new park.

Chicago and California Streets Water Line Improvements: Estimate: $658,000 Mr. Cook said this project recreates a backbone water system that future development would need.

MANAGEMENT SERVICES DIRECTOR DAWN LANG reviewed what was currently in the budget and project carry forward which totals $3,910,260. She reminded the Council the Downtown Redevelopment CIP has $500,000 a year available for land acquisitions in downtown. Vice Mayor HEUMANN asked why the $1 million carry forward. MR. ZEDER responded that the money was for the right of way acquisition for the remainder of Washington Street down to Pecos. With the approval of the development agreement ALTA project, the money has been repurposed and it will be applied to construction of Washington Street from Frye to Elgin.

MS. LANG displayed a PowerPoint slide that depicted all the projects on a proposed 5 year CIP. This would not include the last project discussed, the trailer court. She said the projects total $17,606,800. She said this includes only the Street and Park projects; this does not include the water and wastewater projects. The focus is on General Fund and General Obligation Bonds and the projects are based on the priority identified. Mr. Zeder added that the attempt was to show the projects that are needed to support development. Ms. Lang then explained the various funding options for the estimated $17.61 million of projects. There are three options that include: more bonds, less cash; less bonds, more cash, or all cash. She noted the current authorization of $3.91 million. She reported the Impact on Secondary Tax rate for more bonds,

less cash would be an impact of 1.7 cents. The bonds would not be able to be sold until FY2016-17. In response to a question from Councilmember SELLERS, Ms. Lang said this includes anticipated increases in assessed value. A less bonds, more cash scenario has an impact of 0.6 cents, however the assessed value may have an increase that would make this amount negligible.

MR. ZEDER explained the theory staff has been working under is the priority is Washington Street Extension. A consideration is to do Arizona Avenue first. He reviewed the advantages of completing Arizona Avenue from Frye to Pecos Roads including: Gateway into Downtown Chandler, adaptive reuse opportunities, encourage redevelopment south of Frye Road, and add safety improvements.

In response to a question from the MAYOR, Mr. Zeder said if right of way acquisition for Washington Street occurs in the next five years, but not construction the difference is about $4 million. The Mayor said it's one thought to complete the acquisition of Washington Street, but if looking at prioritization of dollars, in his opinion, Arizona Avenue is a much more important transportation corridor. The general consensus of the Council was to make Arizona Avenue a priority.

COUNCILMEMBER HARTKE asked the possibility of the city completing Arizona Avenue and then incentivizing some other development that could span over to Washington Street and then have the private sector develop Washington. Mr. Zeder said the city is making the investment in the infrastructure to make the area more attractive. Those types of issues would be worked out in a development agreement.

MAYOR TIBSHRAENY said there are many single family lots and if a developer wanted to do that, great; but, that is a major undertaking.

MR. ZEDER said the option being displayed would assume continuing right of way acquisition down to Pecos.

The Mayor noted the opportunity on Arizona Avenue would be the relocation of the complexes on Fairview and Arizona Avenue.

MR. ZEDER noted the various funding options for Arizona Avenue for $13.64 million using the bonds/cash scenarios.

VICE MAYOR HEUMANN asked when the bond was authorized in 2007 was there conversation of proceeding north of Chandler Boulevard. Mr. Cook stated no.

MS. LANG reviewed the General Fund Balance Projection. She explained at the end of FY13-14 it was projected to be at $145 million. Based on current collections, it will probably be higher. The current year, 2014-15 includes budgets for parking garages for Sites 6 & 7. Depending on timing, the year-end could be higher. She noted by the end of the 5th year, the projection will go up as there are not many projects built in, yet the one time is still building. She said this shows very well and are sets the city in a good place in the General Fund balance for bond ratings, as long as there is planned use for drawdown.

COUNCILMEMBER DONOVAN clarified in the first option of $17 million (Az Avenue projects) with a plus .6 cents for the Secondary Tax Rate, that could actually be zero depending on the assessed value.

Adjournment: The meeting was adjourned at approximately 6:41 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: January 8, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 14th day of August 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12 day of January 2015.

_____
City Clerk

MINUTES OF REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held at City Hall, 175 S. Arizona Ave. second floor training rooms A and B, on Monday, September 8, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:01 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	*Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

*Councilmember Donovan participated telephonically.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Councilmember Hartke gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Sellers led the Pledge of Allegiance.

MAYOR TIBSHRAENY noted that the meeting was being held in the Human Resources conference rooms tonight as a historic amount of rain fall occurred today. He thanked the numerous employees that worked to respond to this storm.

CONSENT:

VICE MAYOR HEUMANN spoke briefly on Item No. 8 (Development Agreement for the property located at the SEC of Frye Road and Galleria Way). He said this is the partially built structure people see at the south end of the Chandler Mall. The structure has been there for years and with this agreement, demolition of the structure will start at the end of this year as part of the new development of that corner.

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COUNCILMEMBER SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1a. **MINUTES** of the Chandler City Council Regular Meeting of August 11, 2014.
1b. **MINUTES** of the Chandler City Council Study Session of August 11, 2014.
1c. **MINUTES** of the Chandler City Council Special Meeting of August 11, 2014.
1d. **MINUTES** of the Chandler City Council Regular Meeting of August 14, 2014.

2. **FINAL ADOPTION OF ORDINANCE NO. 4550,** granting an eight-foot wide public utility easement to the City of Chandler, in trust for the public, located on the east side of Dobson Road between Chandler Boulevard and Boston Street.

3. **FINAL ADOPTION OF ORDINANCE NO. 4555,** granting a no-cost power distribution easement to Salt River Project on a portion of Shawnee Park.

4. **FINAL ADOPTION OF ORDINANCE NO. 4556,** granting a no-cost power distribution easement to Salt River Project on a portion of Centennial Park.

5. **FINAL ADOPTION OF ORDINANCE NO. 4558, RIGHT-OF-WAY ANNEXATION** of certain County Rights-of-Way of approximately 1.39 acres on Ocotillo Road between McQueen Road and Arizona Avenue.

6. **FINAL ADOPTION OF ORDINANCE NO. 4560, DVR13-0010 CONTINUUM AT DOBSON ROAD,** rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for uses allowed within the Innovation Zone designation of the General Plan and to allow for the development of parcels less than 15 acres located at the NWC of Dobson and Queen Creek roads.

7. **FINAL ADOPTION OF ORDINANCE NO. 4561, DVR14-0015 CHANDLER CORPORATE CENTER,** rezoning from Planned Area Development (PAD) for commercial retail to PAD for industrial/office/warehouse and commercial retail.

8. **RESOLUTION NO. 4786** authorizing the execution of a Development Agreement with Hines Development to assure certain development phasing obligations for property located at the SEC of Frye Road and Galleria Way.

9. **RESOLUTION NO. 4804** authorizing an agreement with the United States Department of Justice, Drug Enforcement Administration (DEA) for participation in the DEA Phoenix Task Force; and authorizing the Chief of Police to sign, administer, execute, and submit the agreement and all documents and other necessary instruments in connection with such agreement.

INFORMATIONAL:

1. Minutes of the August 6, and August 20, 2014, Planning and Zoning Commission meetings.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

THE MAYOR STATED Current Events would be announced at Thursday's Council meeting.

Adjournment: The meeting was adjourned at approximately 7:03 p.m.

ATTEST: _____ _____
City Clerk Mayor

Approved: October 20, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 8th day of September 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 21 day of October, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, September 11, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:02 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

Mayor Tibshraeny asked for a moment of silence to honor the victims of 9-11 (September 11, 2001).

INVOCATION: Councilmember Hartke led the invocation.

PLEDGE OF ALLEGIANCE: Vice Mayor Heumann led the Pledge of Allegiance.

Councilmember Sellers joined the Mayor to present the following Proclamations:

SCHEDULED PUBLIC APPEARANCES:

1. Proclamation: Good Neighbor Day – Mayor recognized the following neighborhood leaders who work hard at keeping Chandler neighborhoods vital and sustainable: Marc Young, Dorsha Hale, Penny Ross, Sherry Booth, and Wanda and Neil Bales.

2. Proclamation: Week without Violence – Mayor recognized the following members of the Children's Benefit Foundation Task Force: Susan Stevens-Clark, Patti Tracy, Barbara Troia, and Nellie Moller.

3. Proclamation: National Domestic Violence Awareness Month – Mayor asked Sarah Youngblood, Chair of Chandler's Domestic Violence Commission to come forward and accept the proclamation.

4. Proclamation: Disabilities Employment Awareness Month – Mayor asked Jeff Deaver, a member of the Mayor's Committee for People with Disabilities, to come forward to accept the proclamation.

CONSENT:

VICE MAYOR HEUMANN thanked staff and the applicant for Item 2 in working to alleviate problems with the onsite trash enclosure. The Mayor noted that Stipulation No. 7 was revised and the applicants are in agreement.

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COUNCILMEMBER HARTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

A Request to Speak card was submitted in support of Item 89 (Bourbon Jacks). Discussion is noted under that item.

The Mayor noted several Request to Speak cards had been received for Item number 85. Discussion is noted under that item

COUNCILMEMBER DONOVAN STATED SHE WOULD BE VOTING NO ON ITEM NO. 28 (AGREEMENT EXTENSION: PAYFLEX SYSTEMS USA, INC.), SHE FELT IS WAS A GOOD BENEFIT TO EMPLOYEES, BUT FELT THE CITY SHOULD BE LOOKING FOR A NEW PROVIDER.

MOTION CARRIED UNANIMOUSLY (7-0), WITH THE EXCEPTION NOTED.

1. CITY CODE AMENDMENT: Chapter 24 Ord. #4557

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4557 emending Chapter 24 of the Chandler City Code to remove Section 24-6 concerning Alarm Business and Alarm Agent Licensing Requirements.

BACKGROUND
During the 2012 Arizona Legislative Session, House Bill 2546 (HB 2546) established Arizona Revised Statute (A.R.S.) 32-122.05. The statute became effective May 1, 2013, and has removed the authority from municipalities to license alarm agents and alarm businesses. These authorities have been moved to the State and are now being issued from the Board of Technical Registration.

One such provision related to licensing became effective after October 1, 2013. This section of the law establishes certain licensing procedures for alarm businesses and alarm agents that prohibit operating an alarm business in the State of Arizona unless the person obtains an alarm business certificate from the board.

This ordinance brings the City of Chandler Code requirements into compliance with A.R.S. §32-122.05.

2. REZONING/PRELIMINARY DEVELOPMENT PLAN: The Perch Ord. #4564

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4564, DVR14-0007 The Perch, rezoning from Community Commercial (C-2) with a Planned Area Development (PAD) overlay to PAD for commercial and retail located at 232 S. Wall Street, north and west of the NWC of Arizona Avenue and Frye Road.

APPROVED a Preliminary Development Plan (PDP) for the site and new buildings at an existing bar and restaurant located at 232 S. Wall Street, north and west of the NWC of Arizona Avenue and Frye Road. (Applicant: Daniel Istrate, Kontexture, LLC.)

BACKGROUND

The subject site is approximately 1/3 of an acre. The Perch is an existing restaurant with outdoor courtyards, patios and a roof-top bar. The surrounding developments include a two-story office building, various commercial and retail businesses, a parking lot and single-family residential.

In March 2012, the property was purchased by Lavenue LLC. Several business ventures were undertaken, including a smoothie shop, "The Courtyard on Wall Street", and "The Perch" which opened in February 2014. Site and building improvements with amenities were built and include courtyards, a bird coop, a roof-top bar with seating, indoor dining, office and the craft beer microbrewery.

The request is for rezoning from Community Commercial (C-2) with a Planned Area Development (PAD) overlay to PAD for commercial and retail with a Preliminary Development Plan for the site and new buildings. Due to site constraints, existing buildings do not comply with the C-2 zoning regulations. Accordingly, the request is to reconcile existing nonconformities related to building height and setback.

The site is located within the SAZACAP and designates this site for Cultural and Entertainment land uses. The Perch is also part of Site 8. In May 2011, a City-initiated PAD zoning overlay was approved to allow flexibility in the enforcement of parking requirements for properties within Site 8. The inventory found approximately 743 off-street public parking spaces available on nights and weekends that can be shared by Site 8 properties. The parking overlay remains in effect.

The applicant is concurrently processing a Liquor Use Permit application that seeks to expand the premise area for serving liquor.

SITE

The site consists of several buildings, a bird coop, outdoor patios and courtyards. Three new structures are proposed, including a cooler, expanded storage building and a pergola. These uses do not require additional parking. Building setbacks are proposed as 10 ft. front, 2 ft. rear, 0 ft. north side and 5 ft. south side. Landscape setbacks along the north and south sides would be eliminated with a 10 ft. landscape buffer along the west property boundary.

Briefly noted in the public/neighborhood notification section, trash accumulation is a concern voiced by adjacent business tenants and property owners. Currently, two refuse containers are placed behind the sidewalk within the Oregon Street right-of-way. However, a trash enclosure is required to be sited within the property.

In discussion with the City's Downtown Redevelopment Manager, there are existing shared refuse containers within the downtown business area for use by multiple businesses. This site is not in close proximity to utilize the existing shared refuse containers. Identification of a property for a shared refuse enclosure for this business and others is under assessment.

Until such time that a shared off-site location site is developed, the existing situation needs to be addressed. A trash enclosure is proposed on the subject site and will be south of the current container location to lessen the impact to the adjacent business tenants and residences. The property owner states that refuse pickup will be scheduled five days a week. When a shared

refuse location is available for use by this business, the on-site trash enclosure can be removed. Planning Staff has included conditions of approval to address trash containment.

ARCHITECTURE
The proposed ancillary buildings are small, ranging in floor area from approximately 180 sq. ft. to 440 sq. ft. Materials palette includes wood siding, decorative corten steel and gabion columns with river stones to complement the existing buildings. Additional details can be found in the Development Booklet.

DISCUSSION
Planning Staff supports the request finding the project to be a creative redevelopment of the site that furthers the goals of the SAZACAP. The requested setback relief improves the project and allows additional enhancement to the site.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on July 28, 2014. A business owner was in attendance stating support of the project with the condition that trash is contained on-site. Planning Staff received several emails regarding trash accumulation on Oregon Street. Concerns relate to odor, trash piles, insects, grease and the off-site location.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTIONS
Rezoning
Upon finding consistency with the General Plan and the South Arizona Avenue Corridor Area Plan (SAZACAP), the Planning Commission and Planning Staff recommend approval subject to the condition listed in the ordinance.

Preliminary Development Plan
The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled "THE PERCH", kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0007, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting. Dead, dying, or missing landscape shall be replaced.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
4. The site shall be maintained in a clean and orderly manner.
5. Trash shall not accumulate outside the refuse containers.
6. Trash pick-up shall be provided five-days a week.
7. Construction of the on-site trash enclosure shall be completed by January 1, 2015, alternatively, the property owner shall work with City Staff on selection of an off-site location for a shared trash enclosure to be approved by the City. Construction and operation of the off-site trash enclosure shall be completed by January 1, 2015. If the off-site refuse location is removed and no replacement is available, an on-site trash enclosure shall be required.

3. ZONING CODE AMENDMENT: Chandler City Code Chapter 35 Ord. #4567

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4567, Zoning Code Amendment, ZCA14-0001 Zoning Code Amendments, amending Chapter 35 of the Chandler City Code (Zoning Code) by adopting clarifications, citation reconciliations and other minor adjustments to match current administrative practices.

BACKGROUND

The proposed amendments can be considered 'housekeeping' because they consist of minor revisions that do not introduce any new policies or regulations. A majority of the revisions involve adjusting Code language to match administrative practices. For many decades, a few administrative policies have differed from Code requirements. Applicants have not complained because the administrative policies are less restrictive.

For example, the Zoning Code language requires 1 tree and 6 shrubs per 500 square feet of open space in residential developments and 1 tree and 6 shrubs per 750 square feet of open space in commercial developments. Staff has never required this many trees and shrubs in open space areas as they are unreasonably excessive especially when large amounts of turf are used. For many years, as long as anyone currently employed by the City can remember, Staff has administratively only required 1 tree and 6 shrubs per 1,000 square feet of open space for both residential and commercial developments. This ratio is similar to ratios required by other cities.

Another example is regarding garages. The Zoning Code defines a private garage as having no more than 1,000 square feet in area. Administratively, Staff has never enforced this maximum stated size. When reviewing plans for a garage, Staff focuses on building setback, maximum lot coverage, building height and other standards that are designed to protect the value of neighboring properties, but has never denied plans solely due to its size.

The proposal also includes several revisions to the citizen review process, informally referred to as the neighborhood meeting process required for rezoning, preliminary development plan and area plan applications. Again, all of the proposed amendments match current administrative practices such as requiring the applicant to mail notices for the neighborhood meeting only after clearing the contents of the notification letter with Staff first, requiring expanded notification for any area plan amendment regardless if it is pertaining to a mid-rise development and requiring a neighborhood meeting summary from the applicant instead of requiring Staff to attend every neighborhood meeting which is not practical or possible in many instances.

In all, the proposed amendments include 16 changes in total:

- 9 adjustments aligning the Zoning Code with administrative practices;
- 2 clarifications reorganizing Code language to clarify and make it easier to understand;
- 4 Code citation reconciliations, and
- 1 misspelled word.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- As required by Arizona Revised Statutes, hearing dates for the Planning Commission and City Council, as well as the proposed amendments to the City Code (redlined version),

have been published in an eighth-page newspaper ad at least fifteen (15) days prior to the first required public hearing.

- A draft copy of the proposed amendments has been posted on the City's web site.
- As of the date of this memo, Planning Staff is not aware of any opposition or concerns related to this request.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 - 0.

RECOMMENDATION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

4. EXTEND ZONING: NEC Loop 202 & Alma School Road Ord. #4568

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4568, DVR14-0013, NEC Loop 202 & Alma School Road, request action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove or determine compliance with the two-year schedule for development or to cause the property to revert to the former PAD (Commercial) and AG-1 (Agricultural District) zoning. Request to revert from PAD (Commercial) zoning in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199) and AG-1 (Agricultural District). The reverted zoning establishes community commercial uses on approximately 10 acres and agricultural uses on approximately 2 acres. The property is located at the NEC of Loop 202 Santan Freeway and Alma School Road. (Applicant: Mike Withey, Withey Morris, PLC.)

BACKGROUND
The subject site is located at the northeast corner of Loop 202 Santan Freeway and Alma School Road. The property is currently undeveloped and has a history of zoning cases establishing Planned Area Development (PAD) zoning for Community Commercial (C-2) uses and Preliminary Development Plans (PDP) for two different retail shopping centers and others for an office park development.

The property's initial zoning case established PAD Commercial (C-2) uses in 1998 via Ordinance No. 2822 (PL97-199). This zoning case included approximately 30 acres with 14 acres of conceptual commercial and 16 acres of multi-family residential apartments with a PDP for the apartments. The apartments developed which vested the PAD zoning on the entire 30 acres. The commercial component did not include an adjacent southern 2-acre parcel.

In 2001, the subject site was rezoned to a new PDP Commercial (C-2) via Ordinance No. 3260 (DVR00-0005) and included the southern 2-acre parcel. Zoning case DVR00-0005 tied the northern 10-acre parcel to the southern 2-acre parcel maintaining the C-2 land use. A PDP was approved for a K-Mart retail center. Retail shops and office on the southern 2-acre parcel required a separate PDP application. Most recently, the subject site received PDP approval for an office park development named Advantage Business Park. There were two PAD zoning time extensions approved for three years each with the last one expiring in 2009.

The application requests a zoning reversion from the property's PAD zoning for Community Commercial (C-2) uses on approximately 12 acres adopted in 2001 via Ordinance No. 3260 (DVR00-0005) to PAD (commercial) in Ordinance No. 2822 (PL97-199) and Agricultural District

(AG-1). This reversion reestablishes prior zoning district of PAD Commercial (C-2) uses on 10 acres and AG-1 on the southern 2 acres.

DISCUSSION
While the commercial property's PAD (Commercial) zoning is vested, the applicant requests to simplify the property's zoning by going back to its original zoning case approval. In doing so, the property's northern 10 acres become PAD Commercial (C-2) again. The southern 2 acres becomes AG-1 zoning, which through a subsequent case, requests rezoning to PAD Commercial to match the northern 10 acres. Planning Staff supports the request to revert the property's PAD Commercial (C-2) zoning district to PAD Commercial (C-2) and AG-1

PUBLIC/NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the City of Chandler Zoning Code with a neighborhood meeting being held on July 10, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

5. REZONING/REESTABLISHMENT OF PRELIMINARY DEVELOPMENT PLAN: NEC Loop 202 & Alma School Road Ord. #4569

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4569, DVR14-0014 NEC Loop 202 & Alma School Road, rezoning on approximately 2 acres from AG-1 (Agricultural District) zoning to Planned Area Development (PAD) for Commercial.
REESTABLISHED Preliminary Development Plan (PDP) for a commercial center located at the NEC of Loop 202 Santan Freeway and Alma School Road. (Applicant: Mike Withey, Withey Morris PLC.)

BACKGROUND
The subject site is located at the northeast corner of Loop 202 Santan Freeway and Alma School Road. The property is currently undeveloped and has a history of zoning cases establishing Planning Area Development (PAD) zoning for Community Commercial (C-2) uses and Preliminary Development Plan (PDP) for two different retail shopping centers and others for an office park development.

In 2001, the subject parcel was rezoned to PAD for Community Commercial via Ordinance No. 3260 (DVR00-0005) as part of a larger commercial development. A PDP was approved for a retail center anchored by K-Mart which did not include the subject 2-acre parcel. A separate PDP application was required for the subject parcel. Most recently, the subject site received PDP approval for an office park development named Advantage Business Park.

The application is a subsequent request to zoning case DVR14-0013 which reverts zoning on the approximately 2-acre subject site to AG-1 (Agricultural District). This case requests rezoning the 2 acres from AG-1 (Agricultural District) zoning to PAD for Commercial (C-2), as well as reestablishment of PDP approval for an office park development as represented in zoning case

PDP08-0005. The commercial zoning reestablishes the Community Commercial (C-2) uses previously approved for this property.

The rezoning request brings this parcel in alignment with the northern 10-acre parcel thus establishing an approximately 12-acre property with PAD zoning for C-2 uses. Planning Staff supports the request to rezone the 2-acre parcel.

The Advantage Business Park PDP approval included a mix of office and retail buildings totaling over 140,000 square feet of building area upon the northern 10 acres and the southern subject 2 acres. This application does not seek to change the approved PDP.

PUBLIC/NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the City of Chandler Zoning Code with a neighborhood meeting being held on July 10, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

6. REZONING/PRELIMINARY DEVELOPMENT PLAN: Bella Rose Inn Ord. #4570

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4570, DVR14-0006 Bella Rose Inn, rezoning from Planned Area Development (PAD) for Office to PAD for a Hotel, including a Mid-Rise Overlay for building height up to 75 feet, on approximately 3.5 acres located west of the NWC of Price and Willis roads.

APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture on approximately 3.5 acres located west of the NWC of Price and Willis roads. (Applicant: Garry Hays; Law Office Garry Hays.)

BACKGROUND
The subject site is located west of the northwest corner of Price and Willis roads and is currently vacant. The site's western boundary is shared with the Gila River Indian Community. North and northeast of the site are the Ashley Manor and Bella Rose special event venues. Directly east is the Mammoth office development. The site's southern boundary is Willis Road with the recently approved Allred Park Place development south of the collector.

The 3.5-acre subject site was zoned in early 2001 to PAD for an office building. At the time of approval, a condition requiring construction to commence within two years of Council approval was provided. An extension was never granted nor has the property reverted zoning back to the original Agricultural zoning designation. This request is to rezone the property to allow for the construction of a hotel.

SITE LAYOUT/ARCHITECTURE
The hotel is placed at a north/south offset on the southern half of the site. The main entry drive is located at the site's eastern property line with the hotel's entrance via a porte-cochere along the eastern portion of the building. The area surrounding the porte-cochere will be formally landscaped, providing a sense of arrival. It is important to note the drive widths of the porte-cochere do not meet design standards; therefore, a condition has been added requiring the applicant to work with Planning Staff to address the design.

Based on the proximity of the hotel to the special event venues, a pedestrian connection is provided to the Bella Rose event venue that is adjacent to the site's northeast corner. It is anticipated that there may be a future connection to the Ashley Manor to the north; however, nothing has been finalized. The intent of the connection is to allow for patrons to pass freely from the venue to the hotel without having to leave either site by means of a vehicle. Complementing the pedestrian connection, the hotel developer has provided additional parking stalls beyond what code requires allowing for parking agreements between the hotel and the two special event venues. Planning Staff believes that a larger landscape area should be provided where the pedestrian connection is located in proximity to the parking lot, and may equate to replacing two of the parking stalls with additional landscaping. Planning Staff has added a condition addressing the modification.

The hotel, as designed, is six-stories and provides 161 rooms. Due to the height of the hotel exceeding 45 feet, a Mid-Rise Overlay for the additional building height is also requested. The hotel is just under 69 feet with some flexibility in the requested mid-rise height of 75 feet, allowing for minor modifications if necessary.

Architecturally, the hotel complements the surrounding buildings in the area by means of soft earth tones. Architectural interest is provided through the use of scoring lines, recessed windows, metal elements, glass and masonry being incorporated into the design. The design and use lends itself to the employment corridor supplementing the need to provide additional rooms to business clientele, while being located within the corridor, but not on Price Road frontage.

DISCUSSION

The Planning Commission and Planning Staff support the request finding the use and design consistent with the goals of the employment corridor. Due to the site being located within the South Price Road Employment Corridor, the request was reviewed by the Design Review Committee (DRC). The DRC did not express any concerns and were supportive of the proposal.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Due to the Mid-Rise Overlay request, two neighborhood meetings with an increased notification radius were required. One neighbor attended both meeting expressing support. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioner Ryan abstaining and Commissioners Baron and Foley absent.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "BELLA ROSE INN" and kept on file in the City of Chandler Planning Division in File No.

DVR14-0006, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. The applicant shall work with Planning Staff to ensure that the entry porte-cochere and drives meets all applicable design requirements
7. The applicant shall work with Planning Staff to enlarge the pedestrian connection located at the site's northeast corner.
8. Signage for the hotel shall meet the requirements as outlined in the Sign Code of the City of Chandler.

7. CHANDLER GROUND LEASE AMENDMENT: F&G Enterprises, LLC Ord. #4571

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4571 amending Chandler Ground Lease Number 016 at the Chandler Municipal Airport with F&G Enterprises, LLC, and authorize the Mayor to sign the lease amendment and the City Manager to sign any related documents.

BACKGROUND/DISCUSSION

In September 2013, City Council approved an airport ground lease with F&G Enterprises, LLC. The hangar development, which is currently under construction, features three buildings consisting of a total of eleven individual T-hangars and eight executive box hangars. F&G Enterprises' initial plan was to only develop four box hangars; however, pre-sales of the large hangars proved demand was greater for that style.

The larger hangars are appealing to owners seeking to store an aircraft and are also ideal locations for some types of smaller aviation enterprises. The current lease agreement allows aviation-related commercial activities in building "AG" only. Since the development plan has been modified so that buildings AF and AG are now box-style hangars, the proposed amendment will expand the option for commercial uses in both buildings.

8. PERSONNEL RULES AMENDMENTS Res, #4762

ADOPTED Resolution No. 4762 amending Personnel Rule 1, Section 5, Classified and Unclassified Service; Personnel Rule 2, Section 5, Reclassification; Personnel Rule 3, Section 4, Merit Increases and Salary Decreases; Personnel Rule 4, Section 5, Compensation for Pain and Suffering for Employee Injured While on Duty; and Personnel Rule 15, Section 3, Leave Authorization (Sick Leave), and Section 4, Vacation Leave Accrual.

BACKGROUND

Staff proposes the following amendments to the Personnel Rules to make substantive and administrative changes:

Personnel Rule 1, Section 5: Classified and Unclassified Service
The proposed change to Section 5.F. is housekeeping in nature to clarify that the unclassified employees serve at the pleasure of the Council appointee to whom the unclassified employees report.

Personnel Rule 2, Section 5: Reclassification
The proposed amendment to Section 5.A. is a housekeeping change to reflect the current notification procedure to incumbents whose positions are reclassified.

Personnel Rule 3, Section 4: Merit Increases and Salary Decreases
In the last two years, the City's Oracle Financial/Payroll system has been enhanced to allow salary changes to occur within a pay period as opposed to the current requirement that they begin only at the beginning of a pay period. The proposed change to Section 4.C. allows the effective date of the merit increase to be established by the City Manager so, if the City chooses to take advantage of the functionality of processing merit increases within the pay period, the Rule is not in conflict.

Personnel Rule 4, Section 5: Compensation for Pain and Suffering for Employees Injured While on Duty
In 2012, the Personnel Rule for Pain and Suffering was changed to allow for incremental increases to the threshold that is used to qualify for pain and suffering benefits. These benefits are provided to employees if the employee's surgical, medical, and/or hospitalization expenses reach a certain threshold. Beginning in 2014, the threshold was to be adjusted annually by the City Manager using a formula that was "equivalent to the annual overall percentage increase to the City's lowest cost medical plan premium". Since the pain and suffering threshold costs are based on the cost of medical services and not directly related to the City's medical plan premiums, City Staff recommends that the pain and suffering threshold index be based on the Consumer Price Index of medical care services. This is a national index and is more representative of the costs associated with medical care. Further, it is an easy and accessible index that can easily be verified. After discussions with the health plan consultant, Staff's recommendation is to use the unadjusted percent change year over year table of the Medical Care Services category of the Consumer Price Index-Urban (CPI-U). This would result in a 2.5% adjustment to the current pain and suffering threshold of $80,000.00 increasing the 2014 threshold to $82,000.00. This change to Section 5.D. has no effect on the City's workers' compensation benefit that provides full coverage of medical services required as a result of a work-related injury.

Personnel Rule 15, Section 3: Leave Authorization (Sick Leave)
In 2012, the City outsourced the management of the Family and Medical Leave Act (FMLA) to a third party administrator. This proposed change to Section 3.E. of the Rule is housekeeping in nature and deletes the statement that forms for FMLA are obtained through Human Resources because, under the current process, employees now obtain those forms directly from the City's third party administrator.

Personnel Rule 15, Section 4: Vacation Accrual
The City of Chandler is one of the few cities that have multiple tiers of vacation accrual for various employee groups. It has been the City's goal over the last few years to take steps to equalize the vacation accrual leave for all City employees. This has been an on-going discussion in labor negotiations and we have been successful in negotiating incremental changes with the bargaining groups to that end. The proposed change to this Rule provides for non-represented employees, with the exception of one group that will be grandfathered in their current schedule, to receive the

same vacation accrual. Language has been added that non-represented employees hired on or after September 7, 2014, will be placed on a single vacation accrual schedule regardless of job title or reporting relationship.

9. AFFILIATION AGREEMENT AMENDMENT: Arizona Board of Regents Res. #4787

ADOPTED Resolution No. 4787 authorizing the execution of Amendment No. 3 to the Affiliation Agreement between the Arizona Board of Regents for and on behalf of Arizona State University and the City of Chandler and authorizing the City Manager or designee to add or delete University programs as necessary to meet the needs of the parties without requiring a resolution amendment before the three-year (3) renewal cycle term.

BACKGROUND/DISCUSSION
On August 27, 2009, the Council passed Resolution No. 4322 approving the Affiliation Agreement between Arizona State University and the City of Chandler. Exhibit A of the initial agreement lists university programs eligible to take part in the program. The term of the initial agreement was three (3) years, renewable on a year-to-year basis. The initial term ended September 4, 2012. Resolution No. 4622, amendment number one (1), extended the term through September 2, 2013. Resolution No. 4705, amendment number two (2), extended the term through September 11, 2014.

Several City departments utilize this agreement to provide an educational experience for students at Arizona State University. As a result, the affiliated programs have been expanded since the original agreement in 2009. Exhibit A includes 17 programs of which 16 have been approved through prior resolutions. The addition of the School of Politics and Global Studies (SPGS) is being requested through this amendment.

Resolution No. 4787 will amend the Affiliation Agreement to allow for a renewal term of a three-year (3) cycle. In addition, it will authorize the City Manager or designee to add or delete University programs listed on Exhibit A as necessary to meet the needs of the parties without requiring a resolution amendment before the three-year (3) renewal cycle term.

10. CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT Res. #4791

ADOPTED Resolution No. 4791 authorizing the Consolidated Annual Performance and Evaluation Report (CAPER) for fiscal year 2013-2014 and authorizing the City Manager or his designee to execute and submit the CAPER to the United States Department of Housing and Urban Development (HUD).

BACKGROUND
Each year the City of Chandler is required to evaluate the programs funded by HUD and publish the results in a CAPER. The CAPER describes federally-funded activities occurring during the most recent fiscal year and reports on Chandler's success meeting the priority needs, goals and strategies described in the City's 2010-2014 Five-Year Consolidated Plan.

As part of the process of creating the CAPER, the City is required to conduct a 15-day public comment period and a public hearing at a Chandler City Council meeting. The public hearing for fiscal year 2013-2014 CAPER was held at the City Council meeting on August 14, 2014.

DISCUSSION
The fiscal year 2013-2014 CAPER has been prepared to meet HUD's requirements for an annual performance evaluation. This report summarizes the City's accomplishments for the Community Development Block Grant (CDBG), HOME Investment Partnership and Neighborhood Stabilization Programs.

In addition to the federally-funded programs, the City also reports on those social service programs funded annually with the City's General Fund dollars. The funding of programs by the General Fund serves to significantly leverage the City's federally-funded programs to expand the services provided to Chandler residents.

11. AREA PLAN AMENDMENT/REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Dobson/Germann Area Plan, Canopy Lane
Res. #4792 & Ord. #4554

ADOPTED Resolution No. 4792, Area Plan Amendment, APL14-0008 Dobson/Germann Area Plan Amendment, amendment for Low Density Residential to Medium Density Residential located north of the NWC of Dobson and Germann roads.
INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4554, DVR13-0030 Canopy Lane, rezoning from Planned Area Development for office to Planned Area Development for single-family residential located north of the NWC of Dobson and Germann roads.
APPROVED a Preliminary Development Plan (PDP) for subdivision layout and housing product on approximately 2.5 acres and located north of the NWC of Dobson and Germann roads.
APPROVED Preliminary Plat, PPT13-0019 Canopy Lane, for single-family residential located north of the NWC of Dobson and Germann roads. (Applicant: Sandra Welty, SW Land Services on behalf of Keystone Homes.)

BACKGROUND
The subject site is approximately 2.5 acres located north of the northwest corner of Dobson and Germann roads. The long and narrow infill property is bordered on the east by Dobson Road, an agriculturally zoned parcel on the south, Hope Covenant Church on the north and Arroyo Drive on the west. Germann Country Estates single-family residential subdivision is to the west and south. The site was zoned in 2008 for an office condominium project for which construction never commenced.

AREA PLAN AMENDMENT
The Dobson/Germann Area Plan designates the site as Low Density Residential with a 10,000 square foot minimum lot size. The request is to amend the Area Plan with the designation of Medium Density Residential for 3.5 to 12 dwelling units per acre (du/ac). The proposed density of the 15-lot subdivision is 6.6 du/ac.

The requested amendment provides for a solution consistent and compatible with single-family residential developments in the surrounding area and provides a transition from the church property to the large agriculturally zoned property.

SUBDIVISION
Canopy Lane is a 15-lot, non-gated, single-family subdivision. The minimum lot area is 3,252 sq. ft. with lot sizes of approximately 52 ft. by 64 ft. for Lots 1 through 10 and 72 ft. by 64 ft. for Lots 11 through 15. The requested setbacks are 10 ft. for the front yard; 5 ft. for the side yards, creating a 10 ft. Use Benefit Easement on one side of each home, and 10 ft. for the rear yard.

On-street parking is permitted on the north side only. Signs designating "no parking" are required to be installed where parking is prohibited.

The Residential Development Standards (RDS) are intended to address and create diversity within residential subdivisions. This site is considered an infill property; however, the proposal incorporates many of the required and optional Subdivision Diversity elements. Additional information on how the project complies is described in the Development Booklet.

ARCHITECTURE
The housing product features one, single-story plan and two, two-story plans. Three architectural styles are proposed. The two-story housing products include significant use of architectural treatments, including Juliet Balconies and single-story elements to break up the massing. Building square footages range from 1,968 to 2,321 sq. ft. Additional details for the housing product can be found in the Development Booklet.

As an outcome of neighborhood concerns and working with the property owner of the large ranchette located to the immediate south, the applicant proposes to restrict Lots 11 through 15 to single-story homes. Conditions of approval are included to address this restriction, yet ensure the expected diversity.

DISCUSSION
Planning Staff supports the request. The proposal is a viable solution to a small, infill site, providing an alternative subdivision layout and housing product for empty nesters and homeowners who do not want a large yard to maintain. This type of infill project maximizes a property's viability, but maintains compatibility with the existing adjacent uses through the high quality building architecture and attention to lot layout.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on October 7, 2013. There were four property owners in attendance inquiring about lot size, housing design, number of stories, traffic and parking. The applicant mailed out a second neighborhood letter on June 25, 2014, to inform the property owners of the revised site layout, reduced number of lots, and addition of a single-story plan. Planning Staff received two phone calls from the same property owners to state their opposition to the request. The concerns related to lot sizes, traffic, and the incompatibility with existing large lot residential development.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTIONS
Area Plan
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

Rezoning

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled "Canopy Lane", kept in file in the City of Chandler Planning Services Division, in File No. DVR13-0030, except as modified by condition herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Planning Administrator for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. Lots 11 through 15 shall be constructed with single story homes only.
7. The same elevation shall not be built side-by-side or directly across the street from one another.
8. "No Parking" signs shall be installed where parking is prohibited and in accordance with Fire Department regulations.

Preliminary Plat
The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

12. SUBMISSION OF APPLICATION; Emergency Management Agent Res. #4797

ADOPTED Resolution No. 4797 authorizing the execution and submission of the Arizona Division of Emergency Management Designation of Applicant's Agent Form designating Keith Hargis, Fire Battalion Chief, as the City of Chandler's agent.

BACKGROUND/DISCUSSION
In the event the State of Arizona or City of Chandler declare an emergency, it is required that the City identify a representative who is authorized to file an application for disaster relief funds.

13. IGA AMENDMENT: East Valley Gang and Criminal Information Fusion Center
Res. #4799

ADOPTED Resolution No. 4799 authorizing Amendment No. 2 to the Intergovernmental Agreement (IGA) with the cities of Mesa, Gilbert, Tempe, Scottsdale, Apache Junction and the Salt River Pima Maricopa Indian Community and the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF) as a resource provider, regarding participation in the East Valley Gang and Criminal Information Fusion Center and authorizing the City Manager to execute the amendment.

BACKGROUND
The City of Chandler, through its Police Department, entered into an IGA regarding participation in the East Valley Fusion Center. The Fusion Center was established in 2007 with Mesa designated as the Fusion Center location. The Mesa Police Department is the central agency to receive and distribute agreements as well as Fusion Center grant money to the parties for related expenses, allows the Mesa Police Chief, with specific restrictions and consent of the parties, to negotiate and enter information sharing agreements between the East Valley Fusion Center and other Fusion Centers or law enforcement agencies and clarifies Executive Team makeup and membership. The amendment is intended to formalize the financial support of the Fusion Center by having the participating parties pay up to $10,000.00 a year to the City of Mesa to cover Fusion Center operational expenses. Where each party was previously paying for expenses directly, the amendment will allow Mesa to make the necessary purchases for the Fusion Center operations in a more streamlined manner by following one set of purchasing procedures. This will expedite the ability to make purchases and minimize possible disruptions to operations.

FINANCIAL IMPLICATIONS
As with the original IGA, the City of Chandler will pay the salary and benefits of the employee assigned to the Fusion Center. Additionally, the City of Chandler will pay the City of Mesa up to $10,000.00 annually to operate the Fusion Center.

14. AGREEMENTS: Salt River Project Res. #4801

ADOPTED Resolution No 4801 consenting to Municipal Aesthetics Program Funding Agreements with Salt River Project (SRP) and authorizing the City Manager or his designee to execute the necessary documents.

BACKGROUND
In 1989, SRP implemented the Municipal Aesthetics Program to encourage partnerships with local municipalities. The Municipal Aesthetics Program provides municipalities with the opportunity to conduct aesthetic improvements to existing SRP water and power distribution facilities. Annual allotment of Aesthetics Funds to municipalities are based upon: irrigation water acreage, the percentage of Salt River Valley Water Users Association Membership within the municipality, the municipality's percentage share of total electric facilities revenue and the total cost of electric system work accomplished during SRP's prior fiscal year period. The City of Chandler has received $39,061,582.00 in aesthetic funds since the program's inception.

At this time, the City of Chandler has approximately $5,100,000.00 in SRP Aesthetic Funds that need to be assigned to aesthetic projects in order to meet SRP's schedule for allocations of those funds in this fiscal year or the funds will be forfeited. City Staff has inventoried the existing SRP infrastructure in the City that qualifies for the use of aesthetic funds and has identified six sites for relocation of SRP overhead facilities and one site for landscape improvements at an SRP substation. These projects were briefed to members of the City Council Municipal Utilities and Transportation Subcommittee on June 4, 2014. Recommendations from this meeting were incorporated into priority grouping for projects and the top seven projects that fell within the funding guidelines are included in this year's aesthetic funding request. These projects are detailed in the Municipal Aesthetic Program Funding Agreements, Exhibit 1-7.

FINANCIAL IMPLICATIONS
SRP has provided Conceptual Job Estimates of $6,019,000.00 for the relocation of the existing SRP overhead facilities at six locations and substation landscaping at one location.

These funds will be appropriated from the City's available SRP Aesthetics Fund balance which is currently approximately $11,900,000.00. SRP will submit a final account summary to the City after the agreements are approved so that final engineering design can be completed. Historically, the Conceptual Job Estimates tend to be below the actual contract amount so that no additional funds are required.

15. No item.

16. 2015 CITY COUNCIL REGULAR MEETING SCHEDULE Res. #4805

ADOPTED Resolution No. 4805 setting the 2015 City Council regular meeting schedule. An effort has been made to set meeting dates in order to avoid conflicts with holidays, observations and conferences. Special meetings may be called as needed. All meetings are scheduled to being at 7:00 p.m.

17. PRELIMINARY DEVELOPMENT PLAN: Fairview Medical Plaza

APPROVED Preliminary Development Plan PDP14-0005 Fairview Medical Plaza, a phased medical office development on approximately four acres located at the SEC of 94th and Fairview streets, north and west of the NWC of Dobson and Pecos roads. (Applicant: Kevin Fawcett, Cawley Architects.)

BACKGROUND
The approximately four-acre site was zoned in 2009 as Planned Area Development (PAD) Multi-Use for Assisted Living, Nursing and General/Medical Office uses as part of a nine-acre development. The south five acres were developed as Sante Chandler, a Transitional Rehabilitation Center. The subject site consists of two phases for medical office which is consistent with the approved PAD land uses.

The site is located at the immediate southeast corner of 94th and Fairview streets. The Stonegate Village apartments are to the north, Via Del Cielo condominiums are west of 94th Street, Sante Chandler is south and east is vacant property planned for additional medical and general office and commercial uses as part of the Santan Area Plan.

SITE LAYOUT
Phase I consists of the east portion and Phase II is conceptually designed for the west portion of the site. Planning Staff will review Phase II administratively for substantial conformance with the PDP.

The site is arranged to address the needs of the patients through a linear layout of buildings, landscape and parking. Buildings are pushed toward Fairview Street with the majority of parking internally. As indicated by the ownership, the patients are recovering from brain, spinal and other conditions which require the need for uncomplicated routes and orientation to entrances, exits and parking. A patient drop-off is located adjacent to the courtyard entry leading directly into the medical office building.

The original zoning case included a vehicular and pedestrian connection between the south and north parcels. The driveway cut was constructed from the Sante Chandler development to this site with a pedestrian walkway connection. The ownerships of Fairview Medical development and Sante Chandler request that the connection no longer be required due to the operational needs of the facilities and patients. Planning Staff agreed to the removal of the driveway and

pedestrian connection with the stipulation that the Fairview Medical development team remove and reconstruct the driveway cut and pedestrian access.

ARCHITECTURE
The two phases each consist of one, single-story building. Phase I is fully illustrated in the Development Booklet. Phase II is conceptual with design elements including materials and colors carried over from Phase I. Final details of Phase II will be reviewed administratively by Planning Staff.

The architectural style is a modern design utilizing a series of horizontal planes connected with linear components. The main entrance is the south elevation which features an entry courtyard, water feature and seating. The 'internalized' entrance furthers the operational needs of the medical office uses by minimizing visual and distance conflicts for patients. Design elements such as cantilevered window canopies, recessed windows and a modulating roofline provide both vertical and horizontal articulation. Materials include stucco, metal panels, stained wood, steel and concrete and split-faced block with a complementary earth-toned color scheme. Additional details can be found in the Development Booklet.

SIGNAGE
The request includes a sign package that includes building mounted signage, freestanding monument signs and multi-tenant signage. Building mounted signage incudes reverse pan channel lettering. The monument and multi-tenant signage utilizes similar materials and colors as those used on the buildings to further create cohesiveness.

DISCUSSION
Planning Staff supports the request finding it to represent a quality medical office development and a compatible addition to the surrounding hospital area. The uses are consistent with the Santan Area Plan. The site layout and architecture are sensitive to the nearby residential developments through building location, pedestrian access and scale.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on July 10, 2014. On person, representing Sante Chandler, attended and inquired about the south access driveway and pedestrian connection to their property. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Santan Area Plan and Planned Area Development zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "FAIRVIEW MEDICAL PLAZA", kept on file in the City of Chandler Planning Services Division, in File No. PDP14-0005, except as modified by condition herein.
2. Compliance with original stipulations adopted by the City Council as Ordinance No. 4174 in case DVR09-0001 SANTE CHANDLER, except as modified by condition herein.

3. The vehicular curb cut and pedestrian connection located on the Sante Chandler property shall be removed and reconstructed by the Fairview Medical development as part of Phase I.
4. Landscaping along 94th and Fairview streets shall be installed as part of Phase I.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. All buildings shall be designed to be consistent with the level of quality, detail, building material, paint colors, architectural articulation and the like as established in the attached Development Booklet.
8. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

18. PRELIMINARY DEVELOPMENT PLAN: Mach 1 @ Chandler Airport Center

APPROVED Preliminary Development Plan PDP14-0010 Mach 1 @ Chandler Airport Center, site layout and building architecture for an office development on approximately 10 acres located SE of the Santan Loop 202 and Cooper Road interchange off of Yeager Drive. (Applicant: Lanny Shaw, Butler Design Group.)

BACKGROUND

The approximate 19-acre site is located southeast of the Santan Loop 202 and Cooper Road interchange north of Yeager Drive. The site is bounded by the Santan Freeway to the north, commercial office, recreation/fitness, and industrial developments to the south and east, and commercial, retail and vacant land to the west. The request is for PDP approval of site layout and building architecture for an office development.

The site is within the 245-acre Chandler Airport Center (CAC) master plan. The CAC master plan received zoning approval in 2005 and spans both sides of Cooper Road south of the Santan Freeway (Loop 202). The CAC master plan identifies the site to include general land uses as categorized under Commerce Midrise and Commercial Hotel/Retail Midrise. Under these broad categories, specific uses including office, showroom, light industrial, restaurant, retail, service retail and hospitality are permitted within the development. In February 2013, five of the 19 acres was rezoned to allow additional land uses including medical office and athletic fields.

SITE LAYOUT

The project represents a campus styled office development. Two, two-story buildings totaling 210,000 sq. ft. in area are set back from the street with parking areas arranged to create a campus environment. Extensive vehicular and pedestrian access is provided within the site and to the street. An enhanced main entry drive is created by a progression of site elements including accent walls, pedestrian walkways, signage and landscape. Landscape plant materials comply with the plant palette established in the approved CAC master plan. Additional details can be found in the Development Booklet.

BUILDING ARCHITECTURE

Architecture is modern with contemporary design elements providing four-sided architecture with massing and scale appropriate to an office park. Design elements, window treatment and rooflines provide both vertical and horizontal modulation.

The two buildings are skewed at the core and are mirrored floor plans with a 180 degree rotation to break up the mass and linear design. Building materials and an earth toned color palette further the cohesiveness of the CAC master plan. Additional details can be found in the Development Booklet.

SIGNAGE
The development's signage is governed by the CAC Comprehensive Sign Plan. The Comprehensive Sign Plan limits the size, amount and type of signage throughout the CAC including wall signage. The development will build the previously approved multi-tenant freeway pylon sign as depicted in the CAC Comprehensive Sign Plan.

DISCUSSION
Planning Staff supports the request for site layout and building architecture. Building architecture advances the goals of the CAC master plan by establishing a high level of design quality. The goals are furthered by a cohesively designed office development with enhanced entry features, pedestrian plazas, and a complementary landscape theme. The proposal is compatible with existing, adjacent developments.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed according to the provisions of the City of Chandler Zoning Code. A neighborhood notice was mailed on August 1, 2014. No comments or questions concerning the request have been received. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and Planned Area Development (PAD) zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MACH ONE AT CHANDLER AIRPORT CENTER", kept on file in the City of Chandler Planning Services Division, in File No. PDP14-0010, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The site shall be maintained in a clean and orderly manner.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. All buildings shall be designed to be consistent with the level of quality, detail, building material, paint colors, architectural articulation and the like as established in the Development Booklet.
6. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

19. ELECTION CANVASS: Primary Election

ACCEPTED the canvass of the City of Chandler Primary Election of August 26, 2014.

The City held its Primary Election on August 26, 2014, for the purpose of electing a mayor and three councilmembers, and deciding a ballot proposition (Home Rule). The election was held in conjunction with the countywide election on a consolidated ballot. Arizona Revised Statutes §16-642 requires the governing body canvass the returns of the election no later than twenty days following the election.

The attached canvass shows the summary and individual precinct results. Voter turnout was 22% with 29,481 voters casting ballots out of a total voter population of 131,874.

Proposition 470 (Home Rule) was approved overwhelmingly by a vote of 22,314 yes votes and 3,778 no votes.

Jay Tibshraeny was declared elected to the office of mayor. He will assume a four-year term as mayor. A City Charter amendment was approved in 2012 changing the term of the office of mayor from two years to four years.

As Kevin Hartke, Terry Roe and Rene Lopez were declared elected to the office of councilmember at the Primary Election, a run-off election is not necessary. The installation ceremony will occur on January 8, 2015.

20. SOLE SOURCE PURCHASE: AZ Wastewater Industries, Inc.

APPROVED the sole source purchase of repairs for a Super Products Camel brand waste water debris tank from AZ Wastewater Industries, Inc., (AWI) in an amount not to exceed $156,479.22.

The Streets division utilizes a large vactor style truck to clean out the City's storm water facilities such as catch basins, sump areas and storm drain lines. This truck utilizes a high capacity, large diameter vacuum pump apparatus to pick up dirt, debris sand, gravel and small rocks that restrict, plug and otherwise impact the drainage system. The material picked up by the apparatus causes significant wear and tear on the system. The vactor truck is a 2006 Sterling chassis with a Super Products Camel brand waste water vacuum pump debris tank unit mounted on the frame which has been in service since August 2006. The truck chassis is currently in acceptable condition and does not need replacement; however, the vacuum tank apparatus is at the end of its service and needs to be replaced.

Staff received a sole source quote from AWI for major refurbishment of the Super Products Camel debris tank. AWI is the exclusive dealer for Super Products Camel equipment. The replacement of the debris tank and associated plumbing equipment is $128,156.66, which includes delivery of the truck to the Super Products factory in New Berlin, Wisconsin, for fabrication and replacement.

In addition, the primary vacuum blower pump has seized up and become inoperable. The additional equipment replacement quote is in the amount of $28,322.56, for a total AWI refurbishment cost of $156,479.22.

21. ADMINISTRATION: Statutorily and Self-administered City Benefit Programs

AUTHORIZED the administration of statutorily and self-administered City benefit programs to include cancer insurance, retirement for civilian public safety and elected officials, and long term disability for benefit plan year 2015, effective January 1, 2015.

BACKGROUND
City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. The following employee benefits are required statutorily or are a designated self-administered City benefit:

Coverage	Provider	Paid by
• Cancer Insurance – Fire Fighters and Police Officers	Public Safety Retirement System	City
• Retirement Plan – Civilian	Arizona State Retirement System	City/Employee
• Retirement Plan - Public Safety	Public Safety Retirement System	City/Employee
• Retirement Plan – Elected Officials	Elected Officials Retirement Plan	City/Employee
• Long Term Disability – Civilian	Arizona State Retirement System	City/Employee

22. AGREEMENT EXTENSION: ACE American Insurance Company

APPROVED a three-year agreement extension with ACE American Insurance Company for benefit plan year 2015, effective January 1, 2015.

BACKGROUND
City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. ACE provides business travel accident and commuter insurance. The premium increase in the three-year (3) term is negligible at $0.02 annually. This benefit is paid by the City.

23. AGREEMENT EXTENSION: Anthem Life Insurance Company

APPROVED a one-year agreement extension with Anthem Life Insurance Company for benefit plan year 2015, effective January 1, 2015.

BACKGROUND
City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. The long-term disability insurance is designed to assist public safety personnel to help replace income enabling the employee to focus on getting better. The current rate of .36 cents per $100 monthly covered payroll has been guaranteed for plan year 2015; therefore, no rate increase will occur. This benefit is paid by the City.

24. AGREEMENT EXTENSION: APS Healthcare Bethesda, Inc.

APPROVED a one-year agreement extension with APS Healthcare Bethesda, Inc., for benefit plan year 2015, effective January 1, 2015.

BACKGROUND
City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm.

APS Healthcare Bethesda, Inc., provides confidential and professional employee counseling assistance dealing with issues ranging from grief to managing stress. Each of the counselors holds either a master or doctoral degree and are certified or licensed by the appropriate state agency. The City of Chandler's employee utilization rate continues to be strong. There is no rate increase for benefit year 2015. This benefit is paid by the City and remains at $3.33 per employee per month.

25. AGREEMENT EXTENSION: Delta Dental Plan of Arizona, Inc.

APPROVED a one-year agreement extension with Delta Dental Plan of Arizona, Inc., for benefit plan year 2015, effective January 1, 2015.

BACKGROUND
City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. Delta Dental Plan of Arizona, Inc., has provided premier dental services to employees since 2002. We continue to look for ways to improve the overall wellbeing of our employees and their dependents to include dental plan services ranging from general teeth cleanings to orthodontia with having minimal or no impact to the premiums of which both the City and employee pay. We were effective in ensuring that the following schedule that provides the premium and cost share for the City and the employee will continue to be in effect for plan year 2015.

Coverage	Full Rate Monthly Premium	City Pays	Employee Pays
Employee only	$ 51.00	$51.00	$ 00.00
Employee + 1	83.00	83.00	25.00
Employee + 2 or more	135.00	67.50	67.50

The administrative rate remains at $4.80 per month per member. The administrative rate is paid for by the City's self-funded dental plan.

26. AGREEMENT EXTENSION: Liberty Mutual Insurance Company

APPROVED a one-year agreement extension with Liberty Mutual Insurance Company for benefit plan year 2015, effective January 1, 2015.

BACKGROUND
City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. Liberty Mutual Insurance Company offers employees and their dependents discounted group coverage for home and auto insurance to include an on-site representative on a quarterly basis and 24-hour claims service. This is a voluntary benefit; therefore, there is no cost to the City.

27. AGREEMENT EXTENSION: Matrix Absence Management, Inc.

APPROVED a one-year agreement extension with Matrix Absence Management, Inc., for benefit plan year 2015, effective January 1, 2015.

BACKGROUND
City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm.

Matrix Absence Management, Inc., as a successor to Reliance Standard Life Insurance Company, administers the City's self-funded short term disability income benefit plan. In addition, they assist with the coordination and administration of the City's Family Medical Leave program. There is no rate increase for benefit year 2015.

28. AGREEMENT EXTENSION: PayFlex Systems USA, Inc.

COUNCILMEMBER DONOVAN VOTED NAY ON THIS ITEM.

APPROVED (6-1) a one-year agreement extension with PayFlex Systems USA, Inc., for benefit plan year 2015, effective January 1, 2015.

BACKGROUND
City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. PayFlex Systems USA, Inc. provides healthcare flexible spending account and dependent care flexible spending account administration services. Flexible Spending Accounts (FSA) enable employees to put aside a portion of their gross income on a pre-tax basis in an FSA in order to pay qualified health care and/or dependent care expenses. The current rate of $4.75 per employee per month has been guaranteed for plan year 2015; therefore, no rate increase will occur. This benefit is paid by the City.

29. AGREEMENT EXTENSION: Reliastar Life Insurance Company

APPROVED a one-year agreement extension with Reliastar Life Insurance Company dba ING Employee Benefits (ING) for benefit plan year 2015, effective January 1, 2015.

BACKGROUND
Effective July 11, 2014, ING US will now be known as "Voya Financial" (Voya) but will remain with Reliastar Life Insurance Company.

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. This benefit provides basic life and accidental death and dismemberment insurance and optional life insurance for spouses and dependent children to benefit eligible classes. This agreement will include the approved 2013 Amendment (referred to as Attachment 2 in the agreement) to remove the "age reduction schedule". A new amendment (referred to as Attachment 3 in the agreement) will amend the definition of "dependent child" to include an employee's married and unmarried child(ren) under the age of twenty-six (26) years to align with other City benefits. The rates will not increase in the 2015 plan year, with a three-year (3) rate guarantee upon renewal. The basic life and accidental death and dismemberment insurance is funded by the City; all optional coverage is funded by the employee based on the benefit selected.

30. AGREEMENT EXTENSION: Vision Service Plan Insurance Company

APPROVED a one-year agreement extension with Vision Service Plan Insurance Company for benefit plan year 2015, effective January 1, 2015.

BACKGROUND
City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. Vision Services Plan Insurance Company (VSP) provides affordable

vision services to include eye exams, frames, lenses and contact lenses. The rates for 2015 will increase by 3% which includes an assessment by the Affordable Care Act (ACA).
The last increase was in 2008. The following schedule provides the premiums and cost share effective for plan year 2015:

VSP	Full Rate Monthly Premium	City Pays	Employee Pays
Employee Only	$ 8.11	$0.00	$ 8.11
Family	17.37	0.00	17.37

31. AGREEMENT EXTENSION: Blue Cross Blue Shield of Arizona

APPROVED a one-year agreement extension with Blue Cross Blue Shield of Arizona for benefit plan year 2015, effective January 1, 2015.

BACKGROUND
The City's medical benefit is reviewed throughout the year by Staff and in collaboration and input from the City-wide Healthcare Task Force with assistance from a benefits consulting firm

In 2014, the City introduced the Red and Blue benefit plans. Both benefit plans include well established benefit designs of co-insurance, deductibles and out of pocket maximums. The Red Plan best mirrors the City's 2013 benefit design for it maintains the "co-pay" feature for basic services such as primary care and specialist doctor visits, of which the members pays a flat fee for a service. The Blue Plan best mirrors that of a true deductible/co-insurance benefit plan. The introduction of these plans was part of a two-year strategy with the final piece being the introduction of a High Deductible Health Plan (HDHP) known as the "White Plan", with a Health Savings Account (HSA) in the 2015 benefit year.

The City's Human Resources Benefits Staff, the benefits consultant, and the Task Force have engaged in discussions since 2011 about the possibility of a HDHP. The goal was to design a plan that follows the City's strategic benefit plan offering principles. Those principles include: compliance with the Patient Protection and Affordable Care Act, commonly referred to as the Affordable Care Act (ACA); provide employee/dependent choices both in coverage options and financially; engage membership in their personal health; educate membership on the cost of medical and pharmacy services; and ensure sustainability of health insurance benefit plans. The City's benefit consultant facilitated the Task Force meetings where significant discussion, education and evaluation occurred. The Task Force outlined several key components they felt would be important to implement a successful HDHP for City employees. The City's Human Resources Benefits Staff, along with the benefits consultant, worked with the City's healthcare actuary to establish a plan that met the principles. As a result, the proposal of adding the White benefit plan to the existing Red and Blue benefit plans is being presented before Mayor and Council.

No benefit plan design changes will be made to the Red and Blue Plans in 2015. The White Plan is an HDHP that features higher deductibles than traditional insurance plans including the existing Red and Blue Plans. HDHPs include federally determined minimum deductible levels that may be adjusted annually by the Internal Revenue Service (IRS). The plan cannot include "first dollar" benefits, with the exception of preventative care, for services covered under the deductible. A high-deductible health savings account qualified plan is required to open an HSA. The White Plan meets these qualifications. An HSA is an employee-owned tax-advantaged savings and spending account that can be used to pay for qualified medical expenses. Employers and employees may contribute to the HSA but there are contribution limits required by the IRS. The

HSA provides the opportunity to use tax-free dollars to pay for qualified medical expenses, and unlike a Flexible Spending Account (FSA), allows the money to be carried forward year after year.

In 2015, the City will contribute $1,000.00 into the HSA accounts of employees that select the White Plan. This contribution will be deposited into each account the first pay period of the plan year. The City's contribution, coupled with voluntary contributions made by the employee, will help provide a balance in the HSA that will help mitigate initial out-of-pocket medical expenses that may occur.

All plans will continue to provide for preventative services at 100% such as well woman and well man visits, along with well-baby visits. The contracted network and network discounts apply to all plans as well.

The pharmacy benefit will continue to operate with a co-pay feature immediately in the Red and Blue Plans. The same co-pay structure was established in the White Plan, but is not applicable until the employee has reached their deductible based on the legal requirements of a HDHP. The Task Force was cognizant of the fact that the City's pharmacy benefit is highly utilized; therefore, they wanted to ensure that regardless of what benefit plan the employee selected, the benefit would be administered the same for all plans with the noted exception on the White Plan.

The City will continue to contract with Blue Cross Blue Shield of Arizona to provide the administration of the City's group medical and pharmacy program to include customer service support, administrative services, network contracts, clinical programs, pharmacy benefit management service, and stop-loss coverage.

On August 28, 2014, after review and consideration of the financial attestation provided by the City's healthcare actuary and in accordance with the City of Chandler Health Care Benefits Trust Agreement, the City's Health Benefits Trust Board approved benefit plan year 2015 healthcare benefit premiums and requested that said premiums be presented to City Council for review and approval.

As previously noted in the City's budget proceedings and subsequently approved by the Mayor and Council, the contribution strategy will remain at an 80/20 split of which the City pays 80% and the employee 20% for the Red and Blue Plans.

The White Plan premium will be paid 100% by the City. This strategy will provide employees with an opportunity to deposit a portion or all of what they would have normally paid in premiums, into their HSA in order to cover expenses subject to the deductible.

The HR Benefits Staff developed and will be presenting various forms and venues of communication regarding the White Plan to City employees, dependents and retirees. This will be done in order to ensure they have an adequate understanding of the plan choices for 2015 and the differences of how a HDHP plan operates as well as an HSA.

32. PROJECT AGREEMENT: Southwest Groundwater Consultants

APPROVED Project Agreement No. WW1407.451 with Southwest Groundwater Consultants for Hydrogeological Services for the Ocotillo Recharge & Recovery Facility installation of Aquifer Storage and Recovery Wells 7, 8, 9 and 10 and Monitor Well OW-MWA, pursuant to Annual Contract No. EN1203-101, in an amount not to exceed $113,845.00.

33. PROJECT AGREEMENT: Sunrise Engineering

APPROVED Project Agreement No. ST1404.201 with Sunrise Engineering for design services for a deceleration lane from eastbound Ray Road to southbound Dobson Road, pursuant to Annual Contract No. EN1004.101, in an amount not to exceed $58,222.00.

34. AGREEMENT: Utility Construction Company, Inc.

APPROVED Agreement No. TD5-968-3404 with Utility Construction Company, Inc., for streetlight pole replacement in an amount not to exceed $137,815.00 for one year with the option of four additional one-year periods. Risk Management recovers approximately 80% of the cost for damaged poles through insurance companies and/or persons involved. The remainder will be funded from the City's self-insurance program

35. AGREEMENT EXTENSION: Traffic Signal Poles

APPROVED Agreement No. TE2-550-2975 with Valmont Industries, Inc., Southwest Fabrication, LLC, Leotek Electronics USA Corporation and Cem-Tec for traffic signal poles and miscellaneous hardware in a total combined amount not to exceed $100,000.00.

36. AGREEMENT: Ritoch-Powell & Associates

APPROVED Agreement No WA1306.451 with Ritoch-Powell & Associates for construction management services, pursuant to Annual Contract No. EN1506.101, for the Joint Municipal Utilities and Police Department Facility, in an amount not to exceed $60,941.00

The project consists of the construction of a new pre-engineered metal building complete with interior finish-out and exterior site improvements. The building will be located at the Pecos Surface Water Treatment Plant, 1475 E. Pecos Road. It will house the Municipal Utilities Department's water systems maintenance operations (6,900 sq. ft.) and the Police Department's large vehicle storage (3,500 sq. ft.). In addition, a 725 square-foot common space will join the two departments' areas.

37. AGREEMENT: GE Betz, Inc.

APPROVED Agreement No. MU5-885-3431 with GE Betz, Inc., for the purchase of water and wastewater chemicals for the Ocotillo Brine Reduction Facility in an amount not to exceed $120,000.00.

38. AGREEMENT: Invensys

APPROVED Agreement No. MU4-918-3402 with Invensys for the sole source purchase of water and wastewater instrumentation/control system equipment and services in an amount not to exceed $698,718.00.

The Pecos Surface Water Treatment Plant, located at 1475 E. Pecos Road, and the Airport Water Reclamation Facility, located at 905 E. Queen Creek Road, utilize a Distributed Control System (DCS) consisting of components only manufactured and serviced by Invensys. Both facilities' processes communicate through fiber optic cables to the plant's control systems. The

existing equipment used for this communication is obsolete and will no longer be supported by Invensys.

39. AGREEMENT AMENDMENT: Continental Flooring Company

APPROVED Agreement No. BF3-360-3216, Amendment No. 2, with Continental Flooring Company for flooring services (carpet and vinyl flooring repair and replacement), in the amount of $130,000.00 for a revised total contact amount not to exceed $275,000.00 for a two-year period.

The Building and Facilities Division currently needs to install carpet in the Transportation and Development building as a majority of the carpet is over 14 years old and it has expended its life span. The new carpet will be carpet tiles that allow for easy installation with limited impact on the operation of the building. The carpet tile also allows for easy replacement in the event a section of carpet is stained and cannot be cleaned.

A request for Proposals (RFP) was issued on February 8, 2013. One response was received and evaluated. An award was made to Continental Flooring Company for a two-year period, April 1, 2013 through March 31, 2015, with options to renew for two additional two-year periods, for an amount not to exceed $45,000 per year. Because the amount was below the Council approval limit, the City Manager signed and approved the agreement. Due to the increase in projects, the amount needed now requires Council approval. Council extended the amount at the February 13, 2014, Council meeting to fund the carpet replacement at the Tumbleweed Recreation Center Cottonwood Room, Chandler Heights Sub-station multi-purpose room and the records area at the main Police Station. The amount of the extension was for $100,000.00. An additional $130,000.00 is now required to carpet the Transportation and Development building.

40. AGREEMENT: Continental Flooring Company

APPROVED Agreement No. BF5-360-3419 with Continental Flooring Company for flooring services (vinyl sheeting and vinyl composite tile replacement) at various locations in an amount not to exceed $111,794.48.

41. AGREEMENT AMENDMENT: Painting and Related Services

APPROVED Agreement No. BF3-910-3153, Amendment No. 1, with A&H Painting, Inc., Ghaster Painting & Coatings, Inc., and Hernandez Companies for painting and related services for a total combined amount not to exceed $70,000.00 per year for a two-year period.

42. AGREEMENT AMENDMENT: Plumbing and Irrigation Supplies

APPROVED Agreement No. WH4-670-3284, Amendment No. 1, with Ewing Irrigation, Ryan Herco Flow Solutions, Horizon Distributors, Inc., Central Arizona Supply, Interline Brands dba Sexauer, and Sprinkler World of Arizona, Inc., for the purchase of plumbing and irrigation supplies for a period of one year in a combined total not to exceed $160,000.00. This is the first of four optional one-year extensions.

43. CONTRACT: Wilson Engineers, LLC

APPROVED Contract No. EN1517.101 with Wilson Engineers, LLC, for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed $2,000,000.00 per year, with the option of one additional two-year extension.

44. CONTRACT: Carollo Engineers, Inc.

APPROVED Contract No. EN1518.101 with Carollo Engineers, Inc., for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed $2,000,000.00 per year, with the option of one additional two-year extension.

45. CONTRACT: CH2M Hill Engineers, Inc.

APPROVED Contract No. EN1519.101 with CH2M Hill Engineers, Inc., for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed $1,500,000.00 per year, with the option of one additional two-year extension.

46. CONTRACT: Dibble Engineering

APPROVED Contract No. EN1520.101 with Dibble Engineering for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed $1,500,000.00 per year, with the option of one additional two-year extension.

47. CONTRACT: Aztec Engineering Group, Inc.

APPROVED Contract No. EN1523.101 with Aztec Engineering Group, Inc., for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed $750,000.00 per year, with the option of one additional two-year extension.

48. CONTRACT: Stantec Consulting Services, Inc.

APPROVED Contract No. EN1521.101 with Stantec Consulting Service Facilities, Inc., for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed $750,000.00 per year, with the option of one additional two-year extension.

49. CONSTRUCTION CONTRACT: DNG Construction LLC

APPROVED Construction Contract No. WA1306.401 with DNG Construction LLC, for the Joint Municipal Utilities and Police Department Facility in an amount not to exceed $1,234,373.15.

The project consists of the construction of a new pre-engineered metal building complete with interior finish-out and exterior site improvements. The building will be located at the Pecos Surface Water Treatment Plant, 1475 E. Pecos Road. It will house the Municipal Utilities Department's water systems maintenance operations (6,900 sq. ft.) and the Police Department's large vehicle storage (3,500 sq. ft.). In addition, a 725 square-foot common space will join the two departments' areas. The Municipal Utilities Department's area will have a 1,850 sq. ft. interior mezzanine and a bridge crane. A chain-link fenced exterior storage space will be located on the south end of the area.

50. CONSTRUCTION CONTRACT: Arizona Beeman Drilling

APPROVED Construction Contract No. WW1407.401 with Arizona Beeman Drilling for Ocotillo Recharge Facility site installation of Aquifer Storage and Recovery Wells 7, 8, 9 and 10 and Monitor Well OW-MW2A in an amount not to exceed $1,603,937.00, contingent upon written notification from Intel and appropriate funding.

51. CONTRACT EXTENSION: Consultant Engineering, Inc.

APPROVED Contract Extension Project No. EN1202.101 and Project Agreement Project No. EN1522.101 to Consultant Engineering, Inc., for On-Call Inspection Services in an amount not to exceed $35,500.00. This is the second of four optional one-year renewals.

52. CONTRACT: Ritoch-Powell and Associates

APPROVED Contract No. EN1506.101 with Ritoch-Powell and Associates for Civil Engineering Services, for a two-year term, in an amount not to exceed $300,000.00 per year with the option of one additional two-year extension.

53. CONTRACT: Aztec Engineering Group, Inc.

APPROVED Contract No. EN1505.101 with Aztec Engineering Group, Inc., for Civil Engineering Services, for a two-year term, in a amount not to exceed $300,000.00 per year with the option of one additional two-year extension.

54. CONTRACT: Ninyo and Moore

APPROVED Contract No. EN1507.101 with Ninyo and Moore for Environmental Services, for a two-year term, in an amount not to exceed $100,000.00 per year with the option of one additional two-year extension.

55. CONTRACT: Allwyn Environmental

APPROVED Contract No. EN1508.101 with Allwyn Environmental for Environmental Services, for a two-year term, in an amount not to exceed $100,000.00 per year with the option of one additional two-year extension.

56. CONTRACT: AMEC Environment and Infrastructure, Inc.

APPROVED Contract No. EN1509.101 with AMEC Environment and Infrastructure, Inc., for Environmental Services, for a two-year term, in an amount not to exceed $100,000.00 per year with the option of one additional two-year extension.

57. CONTRACT: Perlman Architects of Arizona, Inc.

APPROVED Contract No. EN1504.101 with Perlman Architects of Arizona Inc., for Architectural Services, for a two-year term, in an amount not to exceed $150,000.00 per year with the option of one additional two-year extension.

58. CONTRACT: Dick & Fritsche Design Group

APPROVED Contract No. EN1503.101 with Dick & Fritsche Design Group for Architectural Services, for a two-year term, in an amount not to exceed $150,000.00 per year with the option of one additional two-year extension.

59. CONTRACT: Dieterich Architectural Group, Inc.

APPROVED Contract No. EN1502.101 with Dieterich Architectural Group, Inc. for Architectural Services, for a two-year term, in an amount not to exceed $150,000.00 per year with the option of one additional two-year extension.

60. CONTRACT: Taylor Rymar Corporation

APPROVED Contract No. EN1514.101 with Taylor Rymar Corporation for Facilities Engineering and Mechanical, Plumbing and Electrical Engineering Services, for a two-year term, in an amount not to exceed $200,000.00 per year, with the option of one additional two-year extension.

61. CONTRACT: Melroy Engineering, Inc.

APPROVED Contract No. EN1515.101 to Melroy Engineering, Inc., dba MSA Engineering Consultants Incorporated, for Facilities Engineering and Mechanical, Plumbing and Electrical Engineering Services for a two-year term, in an amount not to exceed $200,000.00 per year with the option of one additional two-year extension.

62. CONTRACT: Spectrum Engineers, Inc.

APPROVED Contract No. EN1516.101 with Spectrum Engineers, Inc., dba Spectrum Engineers and Total Building Commissioning, for Facilities Engineering and Mechanical, Plumbing and Electrical Engineering Services, for a two-year term in an amount not to exceed $200,000.00 per year with the option of one additional two-year extension.

63. CONTRACT: Salt River Project

APPROVED Contract No. ST0809 with Salt River Project (SRP) for design and construction services for Phase II of the Gilbert Road Improvements (Queen Creek Road to Hunt Highway), in an amount not to exceed $98,760.12.

64. CONTRACT: Salt River Project

APPROVED Contract No. ST1305.501 with Salt River Project (SRP) for design of Old Price Road and Queen Creek Road Intersection Improvements in an amount not to exceed $17,760.00.

65. CONTRACT: Entellus, Inc.

APPROVED Contract No. ST0808.452 with Entellus, Inc., for professional services for Ocotillo Road Improvements (Arizona Avenue to McQueen Road) – Construction Management Services in an amount not to exceed $592,330.00.

66. CONTRACT: Blucor contracting Inc.

APPROVED Contract No. ST0808.401 with Blucor Contracting Inc., for construction of Ocotillo Road Improvements (Arizona Avenue to McQueen Road) in an amount not to exceed $5,356,350.75.

67. CONTRACT: Tristar Engineering & Management, Inc.

APPROVED Contract No. ST0810.451 with Tristar Engineering & Management, Inc., for professional services for McQueen Road Improvements (Ocotillo Road to Chandler Heights Road) – Construction Management Services in an amount not to exceed $602,698.00.

68. CONTRACT: Nesbitt Contracting Co., Inc.

APPROVED Contract No. ST0810.402 with Nesbitt Contracting Co., Inc., for construction of McQueen Road Improvements (Ocotillo Road to Chandler Heights Road) in an amount not to exceed $4,175,891.15.

69. CONTRACT: Kristin Darr & Associates, LLC

APPROVED Contract No. ST0810.102 with Kristin Darr & Associates, LLC, a limited liability company dba Central Creative, for professional services for McQueen Road Improvements (Ocotillo Road to Chandler Heights Road) - Public Outreach, in an amount not to exceed $38,120.00.

This contract is for public outreach services consisting of providing and maintaining a project website, a 24/7 answering service, construction hotline for residents and businesses, weekly email updates to the public and coordination with the contractor and the City to mitigate public concerns and issues. Services also include implementation of the project Partnering Evaluation Program (PEP) and other related tasks as necessary to ensure compliance with local, state and federal requirements.

70. CONTRACT: Visus Engineering Construction

APPROVED Contract No. ST1402.401 with Visus Engineering Construction for construction for Emmett Drive Improvements in an amount not to exceed $657,000.00.

The City agreed, as part of the Development Agreement with Rock-Queen Creek LLC and SunCap Phoenix, LLC, dated May 8, 2014, to design and construct half-street collector improvements to Emmett Drive from Ryan Road to ¼ mile south. The roadway will provide additional access for the Chandler Crossroads Development (Federal Express). Overall, this project provides a continuous roadway connection from Ryan Road to Queen Creek Road. On June 11, 2012, Developer Lump Sum Agreements with Covance Laboratories, Inc., were approved by City Council and consist of contributions for streets and water improvements to Emmett Drive. The funding will be transferred from Developer Lump Sum Account and applied towards this project.

71. CONTRACT: Entellus, Inc.

APPROVED Contract No. ST1402.451 with Entellus, Inc., for professional services of Emmett Drive Improvements – Construction Management Services in an amount not to exceed $43,296.00.

72. CONTRACT: Blount Contracting, Inc.

APPROVED Contract No. ST0408.401 with Blount Contracting, Inc., for construction of Thude Park Drainage Improvements in an amount not to exceed $566,415.00. This project is ADOT funded.

73. CONTRACT: Kimley-Horn and Associates

APPROVED Contract No. EN1501.101 with Kimley-Horn and Associates for Airport Facilities and Infrastructure Design Services in an amount not to exceed $200,000.00 per year for a two-year term with the option of one additional two-year extension.

74. CONTRACT: EPG Environmental Planning Group

APPROVED Contract No. EN1512.101 with EPG Environmental Planning Group for Landscape Design Consulting Services for a two-year term in an amount not to exceed $75,000.00 per year with the option of one additional two-year extension.

75. CONTRACT: Gavan and Barker, Inc.

APPROVED Contract No. EN1511.101 with Gavan and Barker, Inc., for Landscape Design Consulting Services for a two-year term in an amount not to exceed $150,000.00 per year with the option of one additional two-year extension.

76. CONTRACT: J2 Engineering and Environmental Design, LLC

APPROVED Contract No. EN1510.101 with J2 Engineering and Environmental Design, LLC, for Landscape Design Consulting Services for a two-year term in an amount not to exceed $150,000.00 per year with the option of one additional two-year extension.

77. CONTRACT: Olsson and Associates

APPROVED Contract No. EN1513.101 with Olsson and Associates for Landscape Design Consulting Services for a two-year term in an amount not to exceed $100,000.00 per year with the option of one additional two-year extension.

78. PURCHASE: Versaterm, Inc.

APPROVED the purchase of annual maintenance and services for the Police RMS from Versaterm, Inc., in an amount not to exceed $381,000.00.

The Police Department purchased the Versaterm integrated police records management (RMS), computer-aided dispatch (CAD), mobile data computing (MDC) and field reporting (FR) system in March 2010. With the expiration of the initial warranty period, the department needs to provide ongoing maintenance and services for the product, which are only available through the vendor in the form of annual maintenance. The maintenance allows for product updates and upgrades, correction of product failures that are not working as intended in accordance with documentation,

and support of the product and its interfaces per contract. Because the system is proprietary, the ongoing maintenance service is available only from Versaterm, Inc. No other vendors are authorized to provide these maintenance services.

79. PURCHASE: Verizon Wireless

APPROVED the purchase of mobile communication services from Verizon Wireless, utilizing the State of Arizona/Western States Contracting Alliance (WSCA) Contract No. ADSPO13-034099,in an amount not to exceed $151,029.00.

The Mobile Data Center is the centerpiece of all communication infrastructure police officers use in the field to perform their daily functions. These units must stay in contact with the central dispatch center via industry standard encrypted wireless communication technologies. The importance of these units properly working and communicating is critical enough that a failed MDC, in most cases, means the vehicle is pulled from service because of the significant threat to officer safety.

The communication between the mobile units and the station provide the officer in the field with capabilities for:

- Computer-aided dispatch features.
- Communication with dispatchers, emergency calltakers and supervisors.
- Access to many law enforcement information systems.
- Ability to write reports and input RMS data.
- Access to City GIS information and maps.
- Automatic vehicle location systems for emergency response.
- Emergency notification systems for officer in trouble/backup assistance situations.

80. PURCHASE: Motorola Solutions

APPROVED the purchase of public safety communication equipment from Motorola Solutions, utilizing the State of Arizona Contract No. ADPSO13-036880, in an amount not to exceed $846,673.06.

The Federal Communications Commission (FCC) has ruled that by the year 2017, all radios must be capable of narrow band reception/transmission. The Police Department currently utilizes Motorola two-way radios for police, fire and municipal departments. The City is a member agency of the Regional Wireless Cooperative wireless network in cooperation with Motorola and in order to maintain the compatibility and security of the system, it is not recommended that an additional radio vendor be introduced into the radio system. The Police Department needs to replace approximately 184 portable and mobile vehicle radios that have exceeded their recommended lifespan. This is the second phase of purchases to replace the current radios in order to be compliant with the 2017 FCC mandate. Other agencies within the Regional Wireless Cooperative have purchased radios utilizing the State of Arizona contract.

81. PURCHASE: EMC

APPROVED the purchase of enterprise data storage equipment and services from EMC, utilizing the State of Arizona/Western States Contracting Alliance (WSCA) Contract No. ADSPO10-00000049, in an amount not to exceed $1,394,456.00.

The City of Chandler has had large success with the use of several key Enterprise Mass Storage technologies. The Storage Area Network (SAN) is heavily utilized for mission critical applications such as Oracle E-Business Suite, IBM Notes/Domino, Accela, Lucity and many others. The Network Attached Storage (NAS) is primarily utilized to store departmental documents ("F:", "T:" and "N:" drives). To make sure that is all backed up in case of loss or corruption, the City has standardized on Commvault Simpana software with EMC and Quantum hardware for backup and recovery. All of these services work in harmony to provide service directly to users and citywide applications on a daily basis.

These centralized storage and backup solutions are planned to be replaced on a seven-year replacement cycle and are now due for replacement. IT has reviewed the current storage strategies and feature sets available in the market and is recommending the continued utilization of SAN and NAS technologies provided by EMC VNX hardware. Due to ongoing issues and the high cost of maintenance with the Commvault backup solution, IT is also recommending the implementation of EMC's Avamar backup and recovery solution to replace Commvault. There is a high degree of comfort with EMC technology as it's been extremely reliable with no major outages or data loss and has performed as required by the various applications. New features available as part of this replacement will aid in managing the exponential growth of data storage utilization that has been experienced since the implementation of centralized citywide storage.

82. PURCHASE: Western Environmental Equipment co.

APPROVED the purchase of Severn Trent Services/ClorTec replacement parts for the Surface Water Treatment Plant from Western Environmental Equipment Co. in an amount not to exceed $65,000.00.

83. EMERGENCY PURCHASE: Hydrochloric Acid

APPROVED the emergency purchase of hydrochloric acid for the Ocotillo Brine Reduction facility in an estimated amount of $1,000,000.00. The cost for this purchase will be reimbursed by Intel.

On June 26, 2014, City Council approved Agreement No. MU4-885-3350 for the purchase of water treatment, wastewater treatment and swimming pool chemicals to various suppliers for one year. Design Engineers' initial estimate was 140,000 gallons per year prior to startup. It is now estimated that the Ocotillo Brine Reduction Facility (OBRF) will require 500,000 gallons per year. In addition to increased demand at the OBRF, there is a nationwide shortage of hydrochloric acid due to two major chemical plants being off-line and an increased industry demand. The contracted suppliers will provide 140,000 gallons during the contract period, but are unable to supply any more. Price will vary due to supply and demand. The OBRF required two tanker truck loads of hydrochloric acid per week and cannot function without this chemical.

84. USE PERMIT: The Perch

APPROVED Use Permit LUP14-0010 The Perch, to expand the premise area to sell and serve liquor as permitted under a Series 6 Bar License in an existing restaurant outdoor courtyard and patios and continue live entertainment indoors and outdoors. The request also includes expanding the area for operation of the Series 3 Domestic Microbrewery License to include additional storage for property located at 232 S. Wall Street, north and west of the NWC of Arizona Avenue and Frye Road. (Applicant: Jared Repinski, AATF Agent.)

BACKGROUND

The Perch is an existing restaurant and bar with outdoor courtyards, patios and a roof-top area located at 232 S. Wall Street. The previous Liquor Use Permit was approved in September 2013. A new Liquor Use Permit is prompted due to the proposed expansion of the approved site and floor plans, expiration of the one-year time limit and a desire to expand the live entertainment hours.

The request is to expand the premise area to sell and serve liquor as permitted under a Series 6 Bar License to include the salon and add outdoor patio areas. The request also includes expanding the area for operation of a Series 3 Domestic Microbrewery License to include additional storage. The premise area extension adds approximately 5,600 sq. ft. The applicant also requests extending the hours of live entertainment from 10 pm. until 11 p.m. on Fridays and Saturdays. The additional hour allows patrons to further enjoy the live entertainment in both indoor and outdoor areas. Live entertainment occurring on Sunday through Thursday would end at 10 p.m.

DISCUSSION

Planning Staff supports the request, finding that the restaurant and bar with live entertainment is appropriate at this location if controlled so as to not unreasonably disturb the surrounding businesses and residents. The request to extend live entertainment for one additional hour on Friday and Saturday nights further sustains the business and allows patrons to enjoy live music and entertainment for an extended period of time. Planning Staff is not recommending a time condition on this Liquor Use Permit due to the success of the business's operation. The applicant is concurrently processing a rezoning application that seeks to reconcile existing site constraints and building setbacks.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 14, 2014. There were no neighbors in attendance. Planning Staff has not received any correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Liquor Use Permit granted is for a Series 6 license and a Series 3 license and any change of license shall require reapplication and new Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. Music and entertainment shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line
5. No noise shall be emitted from the live music and entertainment occurring outdoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
6. No live entertainment shall occur after 11 p.m. on Friday and Saturday.

7. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
8. The site shall be maintained in a clean and orderly manner.

85. Moved to Action.

86. CONTINUED USE PERMIT: Mid Mountain Excavation

CONTINUED TO OCTOBER 23, 2014, Use Permit ZUP14-0006 Mid Mountain Excavation, extension for the continued operation of an excavation business located at 900 E. Germann Road, west of the NWC of Germann and McQueen roads. Following the Planning Commission hearing, Planning Staff reviewed the request in light of concerns expressed regarding the up-keep of the site. Planning Staff is recommending a continuance to further monitor maintenance of the site.

87. USE PERMIT: Max & Ted's 480

APPROVED Use Permit LUP14-0011, Max & Ted's 480, Series 6 Bar License, to sell and serve all types of spirituous liquor as permitted and allow live music indoors at an existing bar located at 480 N. Arizona Ave., south of the SWC of Oakland Street and Arizona Avenue. (Applicant: Bill Mohler.)

BACKGROUND
Max & Ted's 480 bar is an existing business operating since 1961. Since it was established, the business name and ownership has changed several times. The business is under new ownership as of May 2014. The bar received Liquor Use Permit approval in July 2013 with a time condition of one year. The request is for extension of the Liquor Use Permit without any further time condition. The business's operational plan remains the same as the previous owners. The hours of operation are 10 a.m. until 2 a.m. seven days a week. There are pool tournaments and leagues, karaoke and live entertainment. The live entertainment is once a month on Saturdays, from 9 p.m. to 1 a.m.

Parking was an issue conveyed by a property owner during the previous Liquor Use Permit process. No recent parking concerns have been raised. The previous bar owner made an agreement with Chandler Auto and Tire, located south of the bar on the same block, to utilize their parking lot for overflow parking. The agreement was made in April 2013 when the bar came under the previous ownership. The parking agreement allows bar patrons to use the tire business's parking lot in the evening on any day of the week On-site parking is monitored by the bar owner and when the lot is nearing capacity, a movable sign notifying patrons of the additional parking is placed outdoors. The current bar owner confirmed with the owner of Chandler Auto and Tire to continue this parking agreement.

DISCUSSION
Planning Staff supports the request finding that the bar with live entertainment indoors is appropriate at this location if controlled so as to not unreasonably disturb the surrounding businesses and residents. There have been no complaints filed with the Police Department or opposition conveyed during the neighborhood meeting and public notification processes. Planning Staff is not recommending a time condition on this Liquor Use Permit due to the success of the ongoing business operation.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 18, 2014.
There were no neighbors in attendance. Planning Staff has received one phone call from a property owner in opposition to live entertainment.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 6 license only and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
5. No noise shall be emitted from the live entertainment occurring indoors that exceed the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential area.
6. The site shall be maintained in a clean and orderly manner.

88. LIQUOR LICENSE: Max & Ted's 480

APPROVED a Series 6 Bar Liquor License (Chandler #153224L6) for William Clyde Mohler, Jr., Agent, Mohler Enterprises LLC, dba Max & Ted's 480, located at 480 N. Arizona Avenue. A recommendation for approval of State Liquor License #06070133 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

89. USE PERMIT: Bourbon Jacks Bar & Grill

Carisson Thurman, 11 W. Boston St. #2 Chandler AZ, stated as a neighbor to Bourbon Jacks they had brought up several issues at the last meeting. Through discussions after the Council meeting they have resolved the issues and are in direct contact with management of Bourbon Jacks. She is in support of the Use Permit application.

APPROVED Use Permit LUP14-0007 Bourbon Jacks Bar & Grill, Series 6 Bar License to sell and serve liquor as permitted for on- and off-premises sales indoors and within an outdoor patio and live entertainment indoors located at 11 W. Boston Street, Suite 1. (Lori Rutten, Howdy Partners LLC.)

This case was continued at the August 14, 2014, Council meeting to allow time for the applicant and Planning Staff to address concerns raised by an adjacent business owner, Shoe Thrill. The adjacent business owner provided Planning Staff and the Bourbon Jacks owners an email with

their concerns. Most concerns are related to on-site business owner/landlord property management. Planning Staff worked with the business owners and City Staff regarding these concerns. On August 15, 2014, the Bourbon Jacks and Shoe Thrill business owners had a meeting. A key concern was live music and when it occurs. There are now clear expectations and a line of communication between the businesses.

There is an agreement between the businesses to allow live music after 8 p.m. Monday through Saturday and after 5 p.m. on Sundays. There was a charitable event held on a weekend in which the music occurred during the day while Shoe Thrill was open for business. Bourbon Jacks will coordinate other events in advance so as not to affect Shoe Thrill's business. Bourbon Jacks will advise their management that sound checks and start times occur only within the agreed upon hours.

Both businesses discussed concerns about patrons smoking close to business entrance doors. Planning Staff advised that the Smoke Free Arizona law prohibits smoking within 20 feet of an entrance. Either business can file a complaint on the Smoke Free Arizona website. In addition, Bourbon Jacks can remove any outdoor ashtrays on patio tables and post a "No Smoking" sign. Bourbon Jacks will advise staff and patrons to prohibit smoking within 20 feet of the entrance.

A concern related to the trash containment area is a multi-tenant matter since many businesses use it. Bourbon Jacks will advise their employees to clean up any over-spilled trash and both businesses will talk with adjacent tenants to bring awareness about keeping the trash area clean. Concerns related to door access, multi-tenant shared bathroom access and the hallway, and cleaning of shared bathrooms was discussed. Bourbon Jacks owners will advise management to be aware and mitigate these concerns. The location of A-frame signs, a hostess podium and a statue in front will be located so as not to affect pedestrian circulation.

The concern regarding over-serving liquor was discussed and Bourbon Jacks ensured they do not tolerate it and will further educate management and employees on State laws regarding liquor service and work with Police Staff on how to better address these issues. Planning Staff coordinated with Police Staff on these concerns and Police Staff will speak with the business owners to assist them in the matters. Police also provided a call summary report.

Shoe Thrill does not request any additional zoning conditions or live music restrictions beyond what was previously approved with the Liquor Use Permit and the agreements they have with Bourbon Jacks.

BACKGROUND

The subject site is located west of Arizona Avenue on the south side of Boston Street in Downtown Chandler. In April 2012, the restaurant was approved a Series 12 Restaurant License for liquor inside and on an outdoor patio as well as live entertainment indoors. The Series 12 Liquor License requires at least 40% of gross revenue from the sale of food. The State Department of Liquor Licenses and control determined this requirement was not met; therefore, the restaurant is requesting a Series 6 Bar License.

The application requests Liquor Use Permit approval to sell liquor as permitted under a Series 6 Bar License within an existing restaurant. A Series 6 Bar License allows the sale and service of all spirituous liquors and off-sale "To Go" privileges.

The restaurant is approximately 2,600 square feet with approximately 76 seats inside and 15 outside on a small patio. The interior includes a stage for live music.

Following concerns raised at City Council, Planning Staff recommends additional zoning conditions to ensure live music does not disturb adjacent businesses and area residents.

PUBLIC/NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 10, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5 – 0 with Commissioners Baron and Cunningham absent.

RECOMMEND ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 6 Bar License only and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner
5. Live music and entertainment shall be controlled so as to not unreasonably disturb adjacent businesses and area residents and shall not exceed the ambient noise level as measured at the commercial property line.
6. The establishment shall provide a contact phone number of a responsible person (business owner and/or manager) to interested business owners and neighbors to resolve noise complaints quickly and directly.

90. LIQUOR LICENSE: Bourbon Jack's Grill

APPROVED a Series 6 Bar Liquor License (Chandler #141172L6) for Jesus M. Altamirano, Agent, Howdy Partners LLC, dba Bourbon Jack's Grill, located at 11 W. Boston Street, Suite 1. A recommendation for approval of State Liquor License #06073502 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

91. USE PERMIT: H&H City Pizza

APPROVED Use Permit LUP14-0012 H&H City Pizza, Series 12 Restaurant License, to sell and serve liquor as permitted for on-premise consumption located at 4040 S. Arizona Avenue, Suite 17, in Fulton Ranch Towne Center. (Applicant: Marshall Reichert.)

BACKGROUND
H&H City Pizza is an existing restaurant in Fulton Ranch Towne Center located at the southwest corner of Ocotillo Road and Arizona Avenue. The application requests Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License.

The hours of operation are Monday through Thursday 11 a.m. until 9 p.m.; Friday and Saturday from 11 a.m. until 9:30 p.m. and 11 a.m. until 8 p.m. on Sunday. There are eight employees. The tenant suite is approximately 1,500 square feet and accommodates 32 seats indoors. Outdoor seating is for dining only; serving of liquor is not requested. Signage will be posted outside of the restaurant stating alcohol is not permitted.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 12, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 license only and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.

92. LIQUOR LICENSE: H & H City Pizza

APPROVED a Series 12 Restaurant Liquor License (Chandler #149188L12) for Marshall A. Reichert, Agent, City LLC, dba H & H City Pizza, located at 4040 S. Arizona Avenue, Suite 17. A recommendation for approval of State Liquor License #12079940 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

93. USE PERMIT: Hyatt Place Phoenix / Chandler Fashion Center

APPROVED Use Permit LUP14-0013 Hyatt Place Phoenix / Chandler Fashion Center, Series 11 Hotel Liquor License to sell and serve liquor as permitted for on-premises consumption of beer, wine and spirits located at 3535 W. Chandler Boulevard, SWC of Chandler Boulevard and Chandler Village Drive. (Applicant: Andrea Lewkowitz, Lewkowtitz Law Office, PLC.)

BACKGROUND
This property is undergoing renovation from Windmill Suites to a Hyatt Place hotel. The former hotel did not service liquor. Hyatt Place hotel will offer food and beverage service including alcoholic beverages.
The Series 11 Hotel License allows for on-premises consumption of beer, wine and spirits. The hotel will serve alcoholic beverages in the gallery market, kitchen and dining area and at the bar. Hyatt Place is a 3-story hotel at approximately 93, 000 square feet with 130 guest rooms.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 24, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion, modification or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 11 Hotel License only and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.

94. LIQUOR LICENSE: Hyatt Place Phoenix / Chandler Fashion Center

APPROVED a Series 11 Hotel/Motel Liquor License (Chandler #154151L11) for Andrea Dahlam Lewkowitz, Agent, Noble-Interstate Management Group LLC, dba Hyatt Place Phoenix/Chandler-Fashion Center, located at 3535 W. Chandler Boulevard. A recommendation for approval of State Liquor License #11077038 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

95. LIQUOR LICENSE: Hensley & Company

APPROVED a Series 4 In-State Wholesalers Liquor License (Chandler #154302L4) for Robert Michael Delgado, Agent, Hensley & Company, located at 120 E. Corporate Place, Suite 14. A recommendation for approval of State Liquor License #04077064 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Planning and Development advises that a Use Permit is not required as distribution only is an allowed use in a PAD zoned district.

96. LIQUOR LICENSE: Tom Ryans Lounge

Approved A Series 6 Bar Liquor License (Chandler #154470L6) for Michael John Ryan, Agent, TRS Take Two LLC, dba Tom Ryans Lounge, located at 70 W. Warner Road, Suite 105. A recommendation for approval of State Liquor License #06070623 will be forwarded to the State Department of Liquor Licenses and Control.
The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as O'Shay's Pub and Grill LLC, dba O'Shay's Pub.

97. LIQUOR LICENSE: Whiskey Rose Saloon

APPROVED a Series 12 Restaurant Liquor License (Chandler #153892L12) for Lauren Kay Merrett, Agent, Rose Saloon LLC, dba Whiskey Rose Saloon, located at 135 W. Ocotillo Road. A recommendation for approval of State Liquor License #12079996 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as W.R.S. Chandler LLC, dba Whiskey Rose Saloon.

98. LIQUOR LICENSE: AZ Pho & Grill

APPROVED a Series 12 Restaurant Liquor License (Chandler #154194L12) for Thanh Trang Nguyen, Agent, AZ Pho & Grill LLC, dba AZ Pho & Grill, located at 3140 S. Gilbert Road, Suite 1. A recommendation for approval of State Liquor License #12079969 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Rez LLC, dba Natalia's 1912 Restaurant.

99. LIQUOR LICENSE: Red Lobster #6230

APPROVED a Series 12 Restaurant Liquor License (Chandler #154116L12) for Richard Scott Teel, Agent, Red Lobster Hospitality LLC, dba Red Lobster #6230, located at 7240 W. Ray Road. A recommendation for approval of State Liquor License #12079975 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as N and D Restaurants, Inc., dba Red Lobster #6230

100. LIQUOR LICENSE: Fiesta Mexicana Restaurant No. 13 Authentic Mexican Food

APPROVED a Series 12 Restaurant Liquor License (Chandler #153525L12) for Lawrence Edward Elliget, Agent, Fiesta Mexicana Restaurant No. 13 Inc., dba Fiesta Mexicana Restaurant No. 13 Authentic Mexican Food, located at 4949 S. Alma School Road. A recommendation for approval of State Liquor License #1279972 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Ocotillo East LLC, dba Table 49 Restaurant and Wine bar.

101. LIQUOR LICENSE: Ploy Thai

APPROVED a Series 12 Restaurant Liquor License (Chandler #151684L12) for Suwanan Dempsey, Agent, Suwanan Thai LLC, dba Ploy Thai, located at 2330 N. Alma School Road, Suite 118. A recommendation for approval of State Liquor License #12079989 will be forwarded to the

State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as T Spot Holdings LLC, dba T Spot.

102. SPECIAL EVENT LIQUOR LICENSE: American Foundation for Cardiomyopathy

APPROVED a Special Event Liquor License for the American Foundation of Cardiomyopathy for the Taste, Chandler's Culinary Festival, October 25, 2014, Downtown Ocotillo, 2855 W. Queen Creek Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The Special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

103. SPECIAL EVENT LIQUOR LICENSE: American Foundation for Cardiomyopathy

APPROVED a Special Event Liquor License for the American Foundation for Cardiomyopathy for the Voodoo Poker Run event, October 11, 2014, at Chandler Harley Davidson, 6895 W. Chandler Boulevard. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

104. SPECIAL EVENT LIQUOR LICENSE: Si Se Puede Foundation

APPROVED a Special Event Liquor License for Si Se Puede Foundation for the 1st Annual Dia De Los Muertos Celebration, November 1, 2014, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

105. PERMANENT EXTENSION OF PREMISES LIQUOR LICENSE: The Perch

APPROVED a Permanent Extension of Premises for a Series 3 Domestic Microbrewery Liquor License (Chandler #145511L3) held by The Perch LLC, dba The Perch, located at 232 S. Wall Street to extend their alcohol serving area to expand outside seating. A recommendation for approval of a permanent extension of premises for State Liquor License #03073070 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

106. PRELIMINARY PLAT: Cornerstone Christian Fellowship

APPROVED Preliminary Plat PPT14-0010 Cornerstone Christian Fellowship, for a church campus on approximately 23 acres located at the SEC of Alma School and Willis roads. (Applicant: David Moran; Larson Engineering, Inc.)

BACKGROUND
This Preliminary Plat is for a church campus located at the southeast corner of Alma School and Willis roads that was approved by Council last year. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and Planned Area Development zoning, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

107. FINAL PLAT: Alta Chandler

APPROVED Final Plat FPT14-0008 Alta Chandler, for a 301-unit urban multi-family development located at the SEC of Frye Road and Washington Street. (Applicant: Adrian Burcham; Hubbard Engineering.)

BACKGROUND
This Final Plat is for a 301-unit urban multi-family development located at the southeast corner of Frye Road and Washington Street that was approved by Council in July 2014. The plat creates the lot and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and PAD zoning, Planning Staff recommends approval.

108. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for Downtown Chandler Cultural Foundation
For the Higher Education Maker Summit and Mixer and Expo on Thursday, October 23, 2014 from 5:00p.m. to 7:00p.m., located at Chandler Center of the Arts, 250 N. Arizona Ave., A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.
ACTION:

85. USE PERMIT: Hudson Baylor dba ReCommunity Chandler

Use Permit ZUP13-0025 Hudson Baylor dba ReCommunity Chandler extension for the continued operation of a recycling facility located within a General Industrial (I-2) zoning district and the continued use of ingress and egress off of Hamilton Street located at 1100 N. Hamilton Street,

north and west of the NWC of Ray Road and Hamilton Street. (Applicant: Will Herzog; Hudson Baylor dba ReCommunity.)

BACKGROUND

The subject site is located north and west of the northwest corner of Ray Road and Hamilton Street. Surrounding the site on all four sides are industrial uses. Directly north of the subject site is a steel welding facility. Directly east is a lot zoned for I-2 uses and is relatively vacant. South of the site is another recycling facility. Directly west is the Southern Pacific Railroad.

Recycling activities have taken place on the subject property since 1995 and on the adjacent property to the south since 1989. Recycling activities for both sites are deemed vested as well as the means of ingress off of Hamilton Street. Up until 2009, the subject site had been part of the recycling operations to the south. In 1999 and 2001, Use Permits were granted to allow ingress to the recycling facilities off of Hamilton Street. The 2001 approval removed any timing condition for the means of access. With the sell-off of the subject site in 2009, the facility to the south modified their access points utilizing Ray Road for ingress and egress, eliminating the need for access off of Hamilton Street. Due to the sell-off, the subject site was prohibited from using any means of access on Ray Road, which led to the Use Permit request in 2009 for both ingress and egress off of Hamilton Street. The Use Permit was granted with a one-year timing condition and subsequently approved in 2010 for an additional three years. The Use Permits were required due to the point of egress crossing a separate parcel that does not include the subject site. The current request seeks to extend the Use Permit for an additional three years allowing for egress on to Hamilton Street.

At the time of approval in 2009, the request included an expansion area and drop-off building located north of the existing building. The approved structure consisted of pre-fabricated 10' tall by 7'-6" wide concrete walls on an approximate 82' x 68' pad. Extending above the walls, an additional 10' will be mesh netting for an overall structure height of 20'. The structure has yet to be built due to the lower number of trips generated than was initially anticipated; however, the request for the additional structure remains.

There is no storage of materials or the operation of vehicles overnight; however, a spare trailer is kept onsite to allow for loading of materials until a delivery truck arrives at the site the following morning. Public drop-off of recyclables does not take place on the subject site.

Based on concerns received from the surrounding neighborhood about trash, Planning Staff has visited the site on a number of occasions, unannounced, and has found that the site has been maintained and kept in clean order; no violations have been issued for the site. While visiting the site, Planning Staff noticed recyclables in the area and that there were two facilities within close proximity of the subject site (one directly south of the subject site and the other at the immediate northwest corner of Ray Road and Hamilton Street) with exposed recyclables. Planning Staff is working with our inspection team to remedy the issue.

Additionally, concerns have been expressed regarding the amount of truck traffic generated. Based on the concerns that Planning Staff heard regarding traffic movements, Planning Staff worked with the Traffic Division to have an in-house traffic study conducted over a two-day period. The results were then compared with a study that was conducted in 2010. Results of the study concluded that truck traffic on Hamilton Street heading south on Knox Road constitutes 4% of overall traffic on Hamilton Street and truck traffic heading north on Hamilton Street, north of Ray Road, provides 9% of the traffic. In short, the results show that truck traffic largely heads

north on Hamilton Street to the facility and then heads south on Hamilton Street from the facility with some occasional trucks heading north on Hamilton Street.
Movements are consistent with the requirement that truck traffic exit the facility heading south onto Hamilton Street.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on March 10, 2014. There were nine neighbors in attendance strongly expressing their concerns with the increase in trash, traffic and pests.

Planning Staff has heard from a number of residents concerned with the request citing that because of the recycling facility, trash in the surrounding neighborhoods has increased and traffic issues on Hamilton Street have become more difficult to deal with. Concerns have primarily been conveyed via petition with a neighborhood representative being in routine contact with Planning Staff. Following the Planning Commission hearing, Planning Staff has heard from two additional neighbors opposed to the request.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Ryan absent.

Two neighbors spoke in opposition at the hearing with one of the speakers being a resident looking for a home in the neighborhood. Concerns expressed dealt with the size of trucks on Hamilton Street and potential traffic safety, the early hours of operation and diminished property values. Following the Planning Commission hearing, Planning Staff spoke with the applicant and the Traffic Division to address the wide turns out of the site and it was determined that the applicant, in working with the property owner, could widen the driveway which would give existing trucks a more direct ability to angle south reducing the width of the turnout of the subject site.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and I-2 zoning district, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The site shall be maintained in a clean and orderly manner.
2. The Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
3. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

COUNCILMEMBER HARTKE stated he thinks there are some areas that need to come together and he would like to offer a continuation of this item to October.

VICE MAYOR HEUMANN agreed that a continuance may be in order, and that after comments from the public are received, there may be some other contingencies added to the Staff recommendations.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER DONOVAN, TO CONTINUE ITEM NO. 85 USE PERMIT ZUP13-0025 HUDSON BAYLOR DBA RECOMMUNITY CHANDLER TO THE OCTOBER 23, 2014 COUNCIL MEETING.

LAWRENCE MONTEIGH, 1122 N. Bogle Ave., Chandler, AZ said activity begins on the site at 5:20 a.m.. They are dealing with rats, roaches, excess paper flying around, and damage to the streets. He submitted photos of the pavement damage.

ELAINE MORRIS, 1182 N. Bogle Ave., Chandler, AZ stated she lives directly behind the entrance to the site. Activity starts just around 5 a.m. There is a tremendous amount of dust created from the site and the backyard is constantly littered with paper debris. She was visiting with a neighbor from down the street who was complaining of rats in her garage. She also complained of the damage to Hamilton street and inquired who will have to pay for the repair.

JOHN OSBORN, 3165 S. Alma School Rd., Chandler, AZ stated he owns a home in the area and commented on the unsafe traffic conditions the large trucks cause. There have been talks about the percentage of business from the site and the current business representatives state they want more business at that facility. There has been discussion about widening the road for ingress and egress, but there is a large electrical box on the west side of the street. His concern was who gets the bill for moving all that electrical.

GARY HIEDER, 1072 N. Bogle Ave., Chandler, AZ stated his backyard fronts the Baylor property. He stated he has four concerns regarding the Use Permit request. They have been monitoring the facility for the past year and have expressed their concerns and complaints to Council, and have extensively documented the activity of the site.

1. There are approximately 32-34 trucks on a daily average accessing the area.
2. There are seeing excessive rats and cockroaches in their homes, yards and in the neighborhood. When there are strong gusts of wind, the trash is blown into his backyard. On several occasions he has seen trash fall out of the trucks and onto the streets.
3. The trucks are too large and public safety is an issue. The trucks take up the entire roadway when entering and exiting the property.
4. Construction times were to be between 6-8 a.m., currently trucks and individuals are on the property as early as 5:20 a.m.

Mr. Heider stated he has provided the City with a year's worth of videos and photos, by several different residents of the community, documenting the complaints. He submitted petitions to the City Clerk at Monday night's meeting, and all of them are asking the Council to vote no on the extension of this Use Permit.

The MAYOR asked the City Attorney if Hudson Baylor can expand operations on the site without coming back to the City or Council for approval. Ms. Bigelow stated it might be possible for them to submit for permits administratively and Council would not see those.

JAMES KEAN, 11015 E. Minnesota Ave, Sun Lakes, AZ owns the property to the south of the site. He provided the following history of the property. In 1977 they began manufacturing cellulose insulation using recycled paper. In 1981 they started recycling operations to provide more newsprint for the insulation manufacturing. The facility has been processing Chandler's curbside recyclables since 1993.

In 1999 his recycling company applied with the City for a Use Permit that would allow a recycling plant to be built on that site. The request included access to the property only from Hamilton St. The Use Permit was approved.

In 2002 the company was sold who continued to use the site until they went out of business in 2007. Hudson Baylor made application to the City in 2009 for a "Recycling Center." However the actual use of the property has been a transfer facility. Hudson Baylor's site plan and written narrative listed the use of the property as a recycling center. Hudson Baylor never indicated the site would be used for a transfer station and using 53" trailers.

Mr. Kean referenced page 20 Chandler General Plan adopted in 2008of the Land Use Element – Plan for Sustainable Development: **GOAL: PRESERVE EXISTING NEIGHBORHOODS:** "To prevent businesses and traffic incursions that negatively impact residential neighborhoods." The second quote is in the Safety Element chapter, page 133; **GOAL: FOCUS ON TRAFFIC SAFETY:** "Reduce traffic congestion and other driving hazards." A transfer station is not permitted under the current Use Permit application of a recycling center. Mr. Kean then quoted Chapter 35, section 35-502 **Uses permitted by Use Permit**: (4) Any other uses the City Council determines are compatible may be permitted in the best interest of the community.

The MAYOR inquired who sold the property. Mr. Kean stated the property has never been sold. It is owned by Tempe Steele. He said he found it interesting the applicant is on a month to month lease at this time, but requesting a 3 year use permit.

COUNCILMEMBER WENINGER requested Staff provide more history of the property and information of the last approved Use Permit for the October Council meeting, he then inquired about the maintenance schedule of streets. MR. ZEDER, Public Works Director responded there is a Pavement Quality Index that is used to guide maintenance and capital repairs to streets. He stated they will inspect the street and report back to Council in October.

Mayor Tibshraeny added he would like to have included as part of the information whether the previous approvals were for a recycling facility and what the ramifications would be if now the operations were more a transfer facility for garbage.

Following discussion, THE MOTION TO CONTINUE THIS ITEM TO THE OCTOBER 23, 2014 COUNCIL MEETING CARRIED UNANIMOUSLY (7-0).

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny thanked all the city crewmembers who worked so diligently after the storm and historic rainfall last week to clean up the city and keep water damage and traffic issues to a minimum. Crews worked 24-7 going above and beyond to ensure the safety and well-being of everyone and the city.

He announced the Neighborhood Excellence applications for awards will be available on the City's website starting the week of September 14th.

He announced the Teen Leadership Academy which will take place in the spring. The application process will start in the next few weeks.

The Mayor noted the Governor's debate on September 10th televised from Chandler Center for the Arts.

B. Councilmembers' Announcements

COUNCILMEMBER WENINGER thanked the public service men and women and all those serving or who have served in the armed services in recognition of 9-11, 2001. He thanked everyone who worked so hard in keeping the city running as smoothly as possible in light of the record setting storm this week.

He congratulated the Mayor and Councilmember Hartke on their re-election, and the two new councilmembers; Terry Roe and Rene Lopez.

COUNCILMEMBER SELLERS stated Chandler received the most measurable rain in the valley, and the city staff did an amazing job. Mr. Sellers reported he was part of a delegation that visited Taiwan last week and named the various organizations the group was able to visit and the opportunity to ride the high speed rail.

VICE MAYOR HEUMANN spoke briefly remembering the anniversary of 9-11. He thanked city staff for their hard work during the storm that swept through the valley. He announced the G.A.I.N. event to be held on October 25th. He highlighted the Cost of Services analysis the City of Tempe publishes and highlighted the City of Chandler has the lowest cost for services to its residents as a city. He also noted the process to remove the structure known as "Elevation Chandler" will begin after Christmas.

COUNCILMEMBER DONOVAN extended her appreciation to city staff who worked so tirelessly at cleaning up the city after the storm. She congratulated to the Mayor, Kevin Hartke, Terry Roe and Rene Lopez for being elected to the Chandler Council.

COUNCILMEMBER HARTKE congratulated Terry Roe and Rene Lopez on the election and the mayor for his reelection. He expressed appreciation to the City employees for doing an amazing job at cleaning up the city and keeping things moving as best as possible.

He announced the Domestic Violence Awareness breakfast at the Tumbleweed Rec. Center on September 18th.

On September 27th the cities of Chandler, Mesa, Gilbert and Queen Creek will have representatives from Fire and Police unite for the "Community First" event. The Redemption Church located at 1820 W. Elliott Rd in Gilbert.

On October 16th at the Mesa Hilton, Chandler will hold its Annual Desert Cancer Foundation luncheon, however this year it will be in Mesa.

COUNCILMEMBER ELLEN congratulated the Mayor and Councilmember Hartke on their election win, and stated she looks forward to serving with new members to the Council, Terry Roe and Rene Lopez. She thanked city employees for all their hard work and many hours cleaning up the city after the storm this week.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:07 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: October 20, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 11th day of September 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 21 day of October, 2014.

_____
City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held at on Tuesday, September 16, 2014 in the Mayor's Conference Room, Chandler City Hall, 175 S. Arizona Avenue, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 4:01 p.m.

The following members were present:

Jay Tibshraeny	Mayor
Rick Heumann	Vice Mayor
Jack Sellers	Councilmember
Kevin Hartke	Councilmember
Trinity Donovan	Councilmember
Nora Ellen	Councilmember

Councilmember Weninger was absent and excused as he was out of town.

Also present: City Clerk Marla Paddock, Presiding City Magistrate R. Michael Traynor, Asst. City Manager Nachie Marquez, Mayor & City Council Asst. David Bigos.

EMPLOYMENT CONTRACT: City Magistrate

Approve the employment contract for the hiring of Alicia Morrison Skupin as City Magistrate.

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COUNCILMEMBER SELLERS TO APPROVE THE EMPLOYMENT CONTRACT FOR ALICIA MORRISON SKUPIN AS CITY MAGISTRATE WITH AN ANNUAL BASE SLARY OF $146,322.00 UNTIL OCTOBER 16, 2016. MOTION CARRIED UNANIMOUSLY (6-0)

Judge Traynor introduced Ms. Skupin and stated she would begin employment on October 6, 2014. The City Council members congratulated her.

Adjournment: The Mayor adjourned the meeting at 4:03 p.m.

ATTEST:

City Clerk

Mayor

Approval Date of Minutes: October 20, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on September 16, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21 day of October 2014

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, October 20, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:03 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Councilmember Hartke gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Donovan led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER DONOVAN, SECONDED BY COUNCILMEMBER SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1a. MINUTES of the Chandler City Council Regular Meeting of September 8, 2014.
1b. MINUTES of the Chandler City Council Study Session of September 8, 2014.
1c. MINUTES of the Chandler City Council Special Meeting of September 11, 2014.
1d. MINUTES of the Chandler City Council Regular Meeting of September 11, 2014.
1e. MINUTES of the Chandler City Council Special Meeting of September 16, 2014.

2. FINAL ADOPTION OF ORDINANCE NO. 4557, amending Chapter 24 of the Chandler City Code to remove Section 24-6 Concerning Alarm Business and Alarm Agent Licensing Requirements.

3. FINAL ADOPTION OF ORDINANCE NO. 4564, DVR14-0007 THE PERCH, rezoning from Community Commercial (C-2) with a Planned Area Development (PAD) overlay to PAD for commercial and retail located at 232 South Wall Street, north and west of the NWC of Arizona Avenue and Frye Road.

4. FINAL ADOPTION OF ORDINANCE NO. 4567, ZONING CODE AMENDMENT, ZCA14-0001 ZONING CODE AMENDMENTS, amending Chapter 35 of the Chandler City Code (Zoning Code) by adopting

clarifications, citation reconciliations and other minor adjustments to match current administrative practices.

5. FINAL ADOPTION OF ORDINANCE NO. 4568, DVR14-0013 NEC LOOP 202 & ALMA SCHOOL ROAD, request action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the two year schedule for development or to cause the property to revert to the former PAD (Commercial) and AG-1 (Agricultural District) zoning. Request to revert from PAD (Commercial) zoning in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199) and AG-1 (Agricultural District). The reverted zoning establishes community commercial uses on approximately 10 acres and agricultural uses on approximately 2 acres. The property is located at the NEC of Loop 202 Santan Freeway and Alma School Road.

6. FINAL ADOPTION OF ORDINANCE NO. 4569, DVR14-0014 NEC LOOP 202 & ALMA SCHOOL ROAD, rezoning on approximately 2 acres from AG-1 (Agricultural District) zoning to Planned Area Development (PAD) for Commercial.

7. FINAL ADOPTION OF ORDINANCE NO. 4570, DVR14-0006 BELLA ROSE INN, rezoning from Planned Area Development (PAD) for Office to PAD for a Hotel, including a Mid-Rise Overlay for building height up to 75 feet on approximately 3.5 acres located west of the NWC of Price and Willis roads.

8. FINAL ADOPTION OF ORDINANCE NO. 4571 amending Chandler Ground Lease Number 016 at the Chandler Municipal Airport with F&G Enterprises, LLC.

9. FINAL ADOPTION OF ORDINANCE NO. 4554, DVR13-0030 CANOPY LANE, rezoning from Planned Area Development for office to Planned Area Development for single-family residential located north of the NWC of Dobson and Germann roads.

10. RESOLUTION NO. 4800, authorizing an Intergovernmental (IGA) with Maricopa Home Consortium to receive federal home investment partnership program (HOME) funds, in the amount of $293,292.00.

INFORMATION:

1. MINUTES of the September 3, 2014, and October 1, 2014 Planning and Zoning Commission meetings.

UNSCHEDULED PUBLIC APPEARANCES: None.

CURRENT EVENTS:

The Mayor stated current events would be announced at Thursday's Council meeting.

ADJOURNMENT: The meeting was adjourned at approximately 7:06 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: November 17, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 20THth day of October 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 19 day of November, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, October 23, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:05 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	*Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

* Councilmember Donovan participated by phone.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Keith Shepard – Alma School Church of Christ

PLEDGE OF ALLEGIANCE: Girl Scout Troop #2818 led the Pledge of Allegiance.

Mayor acknowledged Boy Scout Troop #841 and #897 were also present in the audience.

CONSENT:

VICE MAYOR HEUMANN asked that item 5 be moved to the Action Agenda.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER WENINGER, TO APPROVE THE CONSENT AGENDA AS PRESENTED, NOTING ITEM 5 WAS MOVED TO THE ACTION AGENDA.

MOTION CARRIED UNANIMOUSLY (7-0).

1. ANNEXATION: SWC Ocotillo Road and the Union Pacific Railroad Ord. #4559

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4559 Annexation of approximately 0.36 acres located on the SWC of Ocotillo Road and the Union Pacific Railroad. (Applicant: City of Chandler.)

BACKGROUND
This annexation will 'clean up' the City limits at the intersection of Ocotillo Road and the Union Pacific Railroad. Specifically, the annexation consists of three contiguous parcels. There is a railroad-owned parcel which is half in the public right-of-way, existing Ocotillo Road right-of-way, and a future City well site located south and west of the intersection.

A public hearing for this annexation was held at the August 14, 2014, Council meeting. Staff has not received any comments from residents or other members of the public regarding this

annexation. Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

This annexation request has been processed in accordance with Arizona Revised Statutes which requires a Public Hearing to annex property that is not public right-of-way and is subject to taxation.

2. IRRIGATION EASEMENT: Salt River Project Ord. #4563

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4563 granting a no-cost irrigation easement to Salt River Project (SRP) on City property located along the north side of Queen Creek Road, west of Price Road.

BACKGROUND/DISCUSSION
As part of the Old Price Road and Queen Creek Road improvements, it is necessary to relocate a small portion of irrigation piping. As a result, SRP has requested an easement over a portion of the roadway on the north side of Queen Creek Road containing approximately 958.84 square feet. Concurrently, with the recording of the new easement, SRP will extinguish approximately 1,460.81 square feet of their existing irrigation easement to the City. The new irrigation easement will be at no cost to SRP as the work is for City facilities and benefits the public.

Staff has reviewed and approved the legal descriptions of the requested easement.

3. REZONING/PRELIMINARY DEVELOPMENT PLAN: The Place on Alma School
Ord. #4572

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4572, DVR13-0049 The Place on Alma School, rezoning from Planned Area Development (PAD) for commercial and multi-family to PAD for condominiums. (Applicant: Bruce Tully, Trapezium Consulting Group, LLC.) APPROVED a Preliminary Development Plan (PDP) for site design and building architecture on approximately five acres located at the NWC of Mercury Way and Alma School Road.

BACKGROUND
The subject site is an approximate five-acre property located at the northwest corner of Mercury Way and Alma School Road. The long and narrow infill property is the final remaining undeveloped parcel within The Park development. Surrounding uses include a Home Depot, Safeway, Bank of America, Krispy Kreme and multifamily developments. Talavera and Rialto Hills single-family subdivisions are to the south. The site was zoned in 1996 and conceptually designed for 92 rental units as two-story stacked apartment buildings.

DESIGN REVIEW COMMITTEE
Planning Staff forwarded the request to the Design Review Committee (DRC) prior to Planning Commission to review architectural design elements. Some of the building articulation was not meeting the expected quality of projects. Design elements related to massing, scale, wall plane modulation and symmetry and specifically included: roof ridgeline, fenestration organization and similarity, front door entries, and garage doors were discussed. The applicant revised the building elevations by adding varied door entries, pop-outs, garage doors with windows, decorative wrought-iron, and four color schemes. Landscape planters between garages were added and include varied plant varieties to add visual interest.

SITE

The site has street frontages on Alma School Road, Mercury Way and Parklane Boulevard; however, access is proposed from Parklane Boulevard with the western driveway as an exit only. Vehicular access is not proposed on Mercury Way or directly to Alma School Road to reduce traffic conflicts at intersections and reduce through traffic in the adjacent residential subdivisions.

The gated condominium development consists of 17 buildings designed as two or three stories at a net density of 15.7 dwelling units per acre (du/ac). Each unit provides two garage spaces as either side by side spaces or tandem spaces. Adequate visitor parking is provided throughout the site. Amenities include a swimming pool, bocce court and putting green. Additional detail can be found in the Development Booklet.

ARCHITECTURE
The proposed condominium buildings are configured as two and three story townhome style buildings. Limiting buildings to four or five units reduces building mass. As discussed in the DRC section, many design elements are provided to create articulation, diversity and quality.

Floor plans range from 1,268 up to 1,665 square feet and offer 2 to 4 bedrooms. As is typical with condominium developments, unit sizes and location within the individual buildings tend to be consistent from building to building creating a repetitious building design; however, the buildings are configured with several unit types per building to create architectural diversity.

DISCUSSION
Planning Staff supports the request. The proposal is a viable solution to a small infill site by providing a housing product for empty nesters and homeowners. This type of infill project maximizes a property's viability but maintains compatibility with existing adjacent uses through the quality building architecture and attention to site design.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on March 4, 2014. There were 20 neighbors in attendance. Concerns expressed include: pool location, perimeter wall height, location of two and three story buildings, tree species abutting single-family yards, parking and vehicular access to Mercury Way, on-site management and price range. The tree species was modified from a Sissoo to a Live Oak and the condominium building adjacent to the single-family homes was moved north and replaced with a large open space to provide a buffer and retention area. Planning Staff emailed the revised plans to the concerned residents who requested the information on the tree species and building locations. The revisions appear to allay their concerns. Planning Staff has not received any correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTIONS
Rezoning
Upon finding consistency with the General Pan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled 'THE PLACE ON ALMA SCHOOL', kept on file in the City of Chandler Planning Services Division, in File No. DVR13-0049, except as modified by conditions herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Planning Administrator for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

4. REZONING/PRELIMINARY DEVELOPMENT PLAN: Willis and Arizona Avenue Corporate Park Ord. #4573

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4573, DVR14-0018 Willis and Arizona Avenue Corporate Park, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for light industrial and commercial retail. (Applicant: Wes Balmer, Balmer Architectural Group.)
APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture on approximately 10.5 acres located east of the SEC of Willis Road and Arizona Avenue.

BACKGROUND
The subject site is approximately 10.5 acres located east of the southeast corner of Willis Road and Arizona Avenue. The surrounding developments include the Santan Gateway South shopping center to the north, an undeveloped parcel to the west, railroad tracks to the east and commercial uses to the south and southwest.

The site is located within the Chandler Airpark Area Plan and designates the property for Commercial/Office/Business Park uses with a Light Rail Corridor Overlay if the nearby railroad tracks are ever designated for light rail transit. The proposed uses include Light Industrial (I-1) as permitted in the Zoning Code and select commercial uses outlined in the Development Booklet, which are consistent with the Airpark Area Plan designation.

SITE LAYOUT
The site will consist of two buildings facing north and south, respectively, with an interior truck yard shared between the buildings. The total floor area of both buildings is approximately 139,462 square feet. Two driveways provide access from Willis Road. Parking is located around the perimeter of the property. Setbacks around the entire perimeter are proposed as 50 ft. from Willis Road, 12 ft. on the east and west property lines and 10 ft. along the south property line. The buildings are setback greater than these minimums, 60 ft. from both the east and west property lines and 70 ft. from the south property line to provide greater buffers. Additional details can be found in the Development Booklet.

BUILDING ARCHITECTURE

Building architecture is industrial in style, creating a functional form with visual interest. Design elements and materials incorporate concrete tilt-up panels, horizontal metal accents, full height glass near the building corners that are visible from Willis Road, modulated rooflines and vertically extruded metal accents extending from ground to above the roof edge. The color palette utilizes earth tones to complement the landscape palette and provide some contrast with the austere building materials.

SIGNAGE
The request includes a Comprehensive Sign Package for the development which limits the size, amount and type of signage. The material and color palette for the signs is complementary to the proposed buildings and unifies the development.

AIRPORT COMMISSION
The Airport Commission reviewed the rezoning request in accordance with the Airport Conflicts Evaluation Process at their September 10, 2014, meeting. The Airport Administrator has issued a conflicts evaluation report indicating that the Airport Commission determined the proposed rezoning and associated uses do not constitute a conflict with existing or planned airport uses.

DISCUSSION
Planning Staff supports the request. The project reflects a quality office and warehouse development which further sustains existing businesses in the area and creates additional employment opportunities along the railroad tracks within the Airpark Area Plan. The proposal is compatible with adjacent developments.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on August 11, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTIONS
Rezoning
Upon finding consistency with the General Plan and Chandler Airpark Area Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet entitled "WILLIS AND ARIZONA AVENUE CORPORATE PARK" kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0018, except as modified by conditions herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
4. The site shall be maintained in a clean and orderly manner.

5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

5. Moved to Action Agenda.

6. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Chandler Pathways of Arizona Ord. #4577

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4577, DVR14-0017 Chandler Pathways of Arizona, rezoning from Planned Area Development (PAD) for commercial retail uses to PAD for an assisted living memory care facility. (Applicant: Ed Bull; Burch & Cracchiolo, P.A.)
APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture on approximately 5.8 acres located at the NWC of Chandler Heights and Lindsay roads.
APPROVED Preliminary Plat PPT14-0015 for an assisted living memory care facility on approximately 5.8 acres located at the NWC of Chandler Heights and Lindsay roads.

BACKGROUND
The subject site is located at the northwest corner of Chandler Heights and Lindsay roads. Directly north of the site is the Avian Meadows single-family residential subdivision that is currently under construction. West is vacant land currently within the jurisdiction of Maricopa County; south, across Chandler Heights Road, is the Valencia II master-planned residential community; east, across Lindsay Road, are the Environmental Education Center and the South Police Substation. The site was rezoned in late 2007 for a commercial retail development; however, development never occurred.

SITE LAYOUT/BUILDING ARCHITECTURE
The development proposes nine residential buildings designed around a central outdoor gathering area. Each building contains ten residential rooms, a dining and kitchen area, great room and general amenities required for residential living. Additionally, each residential building includes an outdoor patio area. Medical staff is present on-site and in the building 24 hours a day. A loop road surrounds the residential buildings.

Throughout the site, each building is interconnected via sidewalks internal to the residential buildings as well as on the perimeter of the buildings, creating easy access throughout the site. Central to the site, the retention area is designed with a 6:1 slope (typical retention areas have a 4:1 slope) allowing for residents to enter the amenity area. Just east of the centralized retention area is an outdoor courtyard area where residents can gather as well as where community outdoor activities will occur.

The residential buildings are designed in a manner to relate to the agrarian and residential nature of the surrounding area and the SECAP (Southeast Chandler Area Plan). Each building is single-story and designed to look like homes in an effort to foster a residential feel to the project. The buildings incorporate concrete tiles, Exterior Finish and Insulation System (E.F.I.S.), and stone veneer materials to present a residential feel. Additionally, all windows are framed with faux shutters.

In order to address visitor parking, and in an effort to inhibit an institutional feel to the development, parking stalls are provided along the perimeter of the buildings and designed so

that visitors to the residential buildings can park in front of the particular building they are visiting. Green screens are provided along the street frontages to screen the parking stalls.

A relatively minor sign package is included. The request is for three wall mounted signs. All signs will be located on and incorporated into a green screen element. The main sign will be located along the perimeter wall at the intersection. Details are provided for a couple of different widths for the sign background; however, the wording of the sign is limited to 100 sq. ft. Similarly, two smaller signs are provided at either entrance to the site, and serve the purpose of bringing awareness of the entrance drive to visitors of the site.

DISCUSSION

The Planning Commission and Planning Staff support the Rezoning and PDP request citing that the use and design of the development is consistent with the design objectives of the SECAP. Additionally, housing options for Chandler's aging population are very limited in this area of Chandler and this development presents an opportunity currently unrealized in the area.

As part of the request, there are some requested deviations as outlined in the development book. The deviations include relief from landscape setbacks along the western property boundary and at the intersection, and relief from the 50' building setback along Lindsay Road for minor building encroachments. Details explaining the deviations are outlined in the development booklet.

The Planning Commission and Planning Staff are supportive of the deviations. As Planning Staff has reviewed the deviations in light of the site design, Planning Staff is comfortable with the deviations based on the general layout of the buildings and angled orientations presented. If all of the buildings were designed to be parallel to the arterials in a squared fashion, the deviations would be eliminated; however, Planning Staff finds that the angled orientation of the buildings presents a better design and layout.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 21, 2014. There were two neighbors in attendance in general support of the request. Planning Staff has received two telephone calls relating to the project. The first caller initially had concerns due to the assisted living type nature of the request, but once details were provided about the size and design of the development, the callers concerns were addressed. The second caller expressed similar concerns about an assisted living development in the area and what it would to do property values in the surrounding area.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan and SECAP, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Landscaping shall be in compliance with current Commercial Design Standards.

2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
4. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
5. Development shall be in substantial conformance with the Development Booklet entitled "CHANDLER PATHWAYS" and kept on file in the City of Chandler Planning Division in File No. DVR14-0017, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

Preliminary Plat
The Planning Commission and Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

7. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Wildhorse Ord. #4578

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4578, DVR14-0022 Wildhorse, rezoning from Agricultural to Planned Area Development for single-family residential. (Applicant: Mike Curley; Earl, Curley & Lagarde P.C.)
APPROVED a Preliminary Development Plan (PDP) for subdivision layout and housing product.
APPROVED Preliminary Plat PPT14-0011 for a 15-lot subdivision on approximately 5 acres located north of the NWC of Willis Road and El Dorado Drive.

BACKGROUND
The subject site is located north of the northwest corner of Willis Road and El Dorado Drive. North and west, adjacent to the site, is the Allred Park Place development. East are developed residential lots zoned AG-1. South is the Vintage Villas single-family residential subdivision.

The subject site is located within the Dobson/Germann Area Plan that encompasses the area between the Loop 202 Santan Freeway, Germann, Dobson, and Price roads. The area plan designates the site for minimum 10,000 sq. ft. residential lots. The request is consistent with the area plan.

SUBDIVISION LAYOUT
The roughly five-acre site is designed for 15 residential lots, for a density of 2.97 dwelling units per acre (du/ac). Typical lot size is 70'x143' with a minimum lot size of 10,000 sq. ft. and a maximum lot size of 14,666 sq. ft. Due to the rectangular shape and relatively small size of the development, a single amenity area is provided at the site's west end that includes a ramada and small tot lot.

Due to all lots being greater than 10,000 sq. ft., the Residential Development Standards (RDS) do not apply. Based on the public participation process, the design team took into consideration the layout of homes and is preemptively restricting lots 2, 14 and 15 to single-story.

HOUSING PRODUCT

Similarly with the RDS for subdivision layout, since all lots are greater than 10,000 sq. ft., the RDS for housing product does not apply; however, a number of the elements of the standards are incorporated into the design of the homes.

Three housing plans are provided with three elevation styles per plan. Two single-story plans and one two-story plan is proposed. Square footages range from 2,904 sq. ft. up to 4,877 sq. ft. Various architecture elements highlighting the prescribed style include window pop-outs, arched window reveals, window muntins, shutters and stone detailing. The RDS require that at least one elevation provide stone elements; the home builder is providing stone on two of the three elevations.

DISCUSSION

The Planning Commission and Planning Staff support the request citing that the development represents another quality addition to Chandler's housing stock. Furthermore, Planning Staff is pleased with the strong design characteristics of the housing product, the variety of elevations, the larger lot sizes provided and that the proposal successfully develops a parcel that, under different circumstances, would have difficulty being developed.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 16, 2014. There were 11 neighbors in attendance generally in support of the request. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron absent.

Following the close of the Planning Commission hearing, two neighbors expressed concerns with Planning Staff stating they were representing their neighbors who could not attend. The two neighbors stated their neighbors had concerns with the potential for two-story homes to be located behind single-story homes. One of the attendees contacted Planning Staff stating that he did not have any concerns, but had passed on Staff's contact information. The second neighbor did not want to provide Staff with any contact information. Planning Staff has not received any additional information from the surrounding neighborhood.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan and Dobson/Germann Area Plan, the Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan and the Dobson/Germann Area Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "WILDHORSE" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0022, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and the Preliminary Development Plan shall apply.
3. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.
4. Lots 2, 14 and 15 shall be restricted to single-story homes.

Preliminary Plat
The Planning Commission and Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

8. REZONING/PRELIMINARY DEVELOPMENT PLAN: Metro Chandler Airport Center
Ord. #4579

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4579, DVR14-0021, Metro Candler Airport Center, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Business Park Uses. (Applicant: Michael B. Withey, Withey Morris PLC.)
APPROVED a Preliminary Development Plan (PDP) for site design and building architecture for a business park development on approximately 25 acres located at the SWC of Cooper and Germann roads.

BACKGROUND
The subject site consists of two parcels located at the southwest corner of Cooper and Germann roads just north of the Chandler Municipal Airport. The site is bounded by Germann Road to the north, Cooper Road to the east, Aviation Drive to the south and a small parcel as well as Airport Boulevard to the west. The Curtis Way right-of-way alignment bifurcates the subject site. To the north and east are developed and vacant parcels zoned for business park uses as part of the Chandler Airport Center master plan. To the south are predominantly vacant parcels zoned Airport District (AP-1) owned by the City of Chandler.

The subject site, along with approximately 27 acres to the south, was zoned to PAD for an industrial/business park subdivision 2000. In 2004, the zoning was reverted to the previous AG-1 designation.

GENERAL PLAN/AREA PLAN
The General Plan designates the subject site as being located within the Chandler Airpark Area Plan (CAAP). The Area Plan specifically highlights the subject site as falling within the Commercial/Office/Business Park land use category. This category denotes major campus-like employment centers permitting uses such as retail services, research and development, and office/showroom uses, as well as light industrial uses considered on a case by case basis. The requested rezoning is consistent with the General Plan and Chandler Airpark Area Plan.

REZONING
The request includes rezoning the subject site to PAD for business park uses. Permitted uses are split between the two larger industrial buildings, Building 1 and 2, and the smaller multi-story Building 3. Permitted uses within Buildings 1 and 2 include all Planned Industrial District (I-1) uses, as well as all office, educational facilities, financial institutions, places of worship, service retail uses and recreational assembly uses such as fitness centers, gymnastic and martial arts studios. Recreational assembly uses for children and young adults within Buildings 1 and 2 are

limited to no more than 15% of total building square footage and shall be located no closer than 450 feet to the western property line. Permitted uses within Building 3 include all uses permitted within Buildings 1 and 2, as well as automotive accessory sales and installation uses. A more detailed permitted uses description is included in the Development Booklet.

SITE DESIGN/ARCHITECTURE

The subject site is essentially surrounded on all sides by right-of-way and bifurcated by a future street. The relatively shallow north to south depth property presents a level of challenge when it comes to siting buildings. The proposal orients the industrial/office buildings to Germann Road, with the overhead doors and service areas oriented south towards Aviation Drive, effectively screened from arterial street view. The building footprints respond to the variations in right-of-way along Germann Road as well Building 3 is set into the Cooper/Germann intersection corner with landscaping treatments similar to the other three intersection corners established by the Chandler Airport Center. The parking screen walls and 8-foot tall rear service area screen walls are set at alternating opposing angles intended to infer an aviation-related image that is carried further onto the building architecture.

Sufficient parking is provided for Buildings 1 and 2 for a traditional light industrial land use build out. Building 3 provides sufficient parking for an all office build out. In the event Buildings 1 and/or 2 require additional parking, Planning Staff has worked with the applicant to develop a plan that would not only underground the retention basin at the properties southwest corner, but also strip out areas within the rear service truck court areas for additional spaces.

This approach allows the site to remain flexible in terms of final tenant needs and still comply with Code.

The building architecture continues a subtle aviation-related theme through the use of smooth, clean forms articulated through plane changes. Predominant elements include angled parapet lines with 8-inch wide ¾-inch deep reveals, again evoking a subtle aviation theme. Scoring patterns are differential to provide a hierarchy to the façade while also breaking down the wall plane. Finally, aluminum canopies are used to provide a final level of architectural interest.

The request includes a comprehensive sign package. Building mounted signage will provide either non-illuminated or halo-illuminated reverse pan-channel lettering. Corporate font and logos are permitted. Four 11-foot tall 5-tenant panel freestanding monument signs are proposed; three along Germann Road and one along Cooper Road. The signs feature an angled sign cap and deep reveals relating to the building architecture. The tenant panels include routed push-through internally illuminated lettering. Additional details can be found in the Development Booklet.

AIRPORT COMMISSION

The Airport Commission reviewed the rezoning request in accordance with the Airport Conflicts Evaluation Process at their September 10, 2014, meeting. The Airport Administrator has issued a conflicts evaluation report indicating that the Airport Commission determined the proposed rezoning and associated uses do not constitute a conflict with existing or planned airport uses.

DISCUSSION

Planning Staff supports the request. The proposed land use mix is compatible with and consistent with approved land uses in the immediate area such as within the Chandler Airport Center immediately to the north and east. Time has proven the compatibility of educational facilities and recreational assembly uses integrated within more traditional light industrial and office business park uses. The proposed business park provides a good land use development

solution for a challenged narrow parcel that is basically surrounded on all sides by right-of-way, further compounded by the future Curtis Way alignment. The site layout accented by the use and placement of screen walls provides a relationship and reference to the site's Chandler Airpark aviation context. That context is further acknowledged by the clean and subtle architectural angular forms, aluminum accent canopies and cool grey-scale color palette. Ultimately, without final users identified at this time, any necessary minor adjustments will be handled administratively in the future as identified in the Development Booklet.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held at the Chandler Municipal Airport. There were no neighboring property owners in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 4 – 0 with Commissioners Foley and Ryan declaring a conflict of interest and Commissioner Baron absent.

RECOMMENDED ACTION
Rezoning
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "METRO CHANDLER AIRPORT CENTER" and kept on file in the City of Chandler Planning Division in File No. DVR14-0021, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. Sign packages, including freestanding signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

9. UTILITIES EASEMENT EXTINGUISHMENT: San Tan Commerce Center Res. #4798

ADOPTED Resolution No. 4798 authorizing the extinguishment of a portion of a 30-foot wide roadway, water, sewer, access and public utilities easement located on Lot 1 of the San Tan Commerce Center at the SEC of Coronado Street and Chandler Boulevard.

BACKGROUND/DISCUSSION
On November 17, 2011, City Council approved a development agreement between the City and RG-101, LLC (Rockefeller), for the property at the southeast corner or Price Road and Chandler Boulevard. Part of this agreement requires the City to obtain and/or provide any easements

required for the development from adjacent property owners. As part of the project, it is necessary for Salt River Project (SRP) to relocate 69 kV power facilities along the western property line partially onto an adjacent parcel. To accommodate the relocation and future servicing of these facilities, the City acquired a separate 20-foot wide power transmission easement for SRP from the adjacent parcel to the east. The easement area acquired for SRP overlays a portion of an existing 30-foot wide roadway, water, sewer, access and public utilities easement. In order to proceed with the relocation of the 69kV lines, SRP is requiring the City extinguish the portion of the 30-foot wide easement shared with the new SRP easement. RG-101, LLC, is providing a separate public utility easement along the west side of the new Coronado Street alignment for any utilities that may require relocation as a result of this extinguishment.

Staff has reviewed this request and legal description for the area in question and recommends City Council approve the extinguishment.

10. FIESTA-DOWNTOWN CHANDLER TRANSIT CORRIDOR STUDY AGREEMENT
Res. #4803

ADOPTED Resolution No. 4803 authorizing the Fiesta-Downtown Chandler Transit Corridor Study Agreement between the City of Chandler, City of Mesa, and Valley Metro Rail, Inc., providing for a High Capacity Transit Corridor Study along Arizona Avenue in Chandler; the expenditure of public funds in an amount not to exceed $687,500.00 and the future reimbursement to the City of Chandler by the City of Mesa of 46.9 percent of the cost of the Transit Corridor Study; and authorizing the City Manager to execute the agreement.

BACKGROUND
In December 2012, the City of Chandler and Valley Metro Rail, Inc., completed an initial High Capacity Transit Long Range Study for Arizona Avenue. The study assessed Arizona Avenue/Country Club Road's potential as a light rail corridor by modeling transit ridership under a number of different transit and land use scenarios. The model results indicated that Arizona Avenue has a great deal of potential as a future light rail corridor, if accompanied by enhancements to connecting bus service and intensified land use near stations.

Although the initial feasibility study showed promising results, the study was conducted at a high level. The Fiesta-Downtown Chandler Transit Corridor Study will look at short-, mid-, and long-term improvements, including a more detailed analysis of future high capacity transit (light rail, bus rapid transit, streetcar, etc.). The initial feasibility study only looked at high capacity transit alternatives that originated on Arizona Avenue at Germann Road and followed Arizona Avenue/Country Club Road north to Main Street, where it connected to light rail.

This second study will analyze that alignment in more detail in addition to the analysis of an alternative alignment that would provide service to Fiesta Mall, Mesa Community College, and Banner Desert Hospital along Southern Avenue and Dobson Road before meeting up with the existing light rail line on Main Street. This study will model exclusive right-of-way bus rapid transit on the corridor as a possible alternative to light rail and will also lay out specific land use and transit enhancement steps for the near-, mid-, and long-term that will help build transit service along this corridor over time. This study will include a public involvement component. There will be at least one public meeting in Chandler as well as other public outreach, such as an online survey. The study will conclude with the cities of Mesa and Chandler selecting a preferred alignment and mode.

The City of Chandler will initially be responsible for funding the study. The City of Mesa will reimburse the City of Chandler for its portion of the study on or before January 1, 2027, should a countywide transportation sales tax beyond Proposition 400 pass. Should a countywide transportation sales tax not pass, the City of Mesa shall reimburse the City of Chandler on or before January 1, 2034.

Valley Metro Rail's consultant will conduct the study and Valley Metro Rail staff will manage the project. Staff from the City of Chandler and the City of Mesa will provide input and assistance and be involved throughout the project.

The agreement and scope must be approved by the Mesa City Council and the Valley Metro Rail Board, which is expected to occur in November 2014. The study is anticipated to commence early in 2015 and be completed by the end of 2016.

TRANSPORTATION COMMISSION
The Transportation Commission unanimously recommended approval of the Fiesta-Downtown Chandler Transit Corridor Study at their August 21, 2014 meeting.

11. GRANT AGREEMENT: ADOT Res. #4807

APPROVED Resolution No. 4807 authorizing a grant agreement with the Arizona Department of Transportation (ADOT) for Grant No. E5S1K in the amount of $703,800.00 for the design and construction of approximately 75 airfield guidance signs and Runway 4R/22L PAPI replacement; and authorizing the City Manager to execute the grant agreement.

BACKGROUND/DISCUSSION
The Airfield Guidance Signs project involves replacing or installing new mandatory runway/taxiway guidance signs. This work will not only address changes to the Federal Aviation Administration's (FAA) signage standards, it is anticipated to reduce maintenance time and costs as most of the signs were installed in 1989. The grant represents the State's 90% share of the cost for replacement.

AIRPORT COMMISSION RECOMMENDATION
The Airport Commission voted unanimously (7-0) to pass and forward a recommendation for approval to the City Council at their regular meeting on September 10, 2014.

FINANCIAL IMPLICATIONS
This project is in the current 5-year Airport Capital Improvement Program (CIP). The remaining 10% local share is $78,200.00 and has been identified in the Airport Operating Fund.

12. SECURITY BOND EXEMPTION: Industrial Commission of Arizona Res. #4808

ADOPTED Resolution No. 4808 authorizing the continuation of exemption from the Industrial Commission of Arizona (ICA) requirement of posting a security bond for the City of Chandler Self-Insured Workers' Compensation Program.

BACKGROUND/DISCUSSION
The City of Chandler was approved by the ICA to self-insure workers' compensation benefits on January 1, 2003. A requirement of self-insured programs is to post a security bond with the ICA in order to ensure performance in the event that a self-insured program becomes insolvent.

On April 4, 2005, the ICA implemented new rules governing management of the workers' compensation self-insurance program. The new rule, R20-5-1114, includes an "Exemption from Requirement to Post Security" noted below:

"A public entity applicant or public entity self-insurer is exempt from the requirement under this Article to post or provide security if the public entity:

1. Has a fully funded risk management fund sufficient to cover actuarial liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10; and
2. Provided funding to the risk management fund each year sufficient to cover actuarial liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10."

FINANCIAL IMPLICATION
Since the inception of the self-insured program in January 2003, the City has expended a total of $16,745.00 to purchase Security Bonds. The City's application for exemption to post security was accepted and expenditures for bonds are no longer incurred.

13. PROPERTY PURCHASE: 298 E. Chandler Boulevard Res. #4809

APPROVED Resolution No. 4809 authorizing the purchase of the property located at 298 E. Chandler Boulevard at a cost of $50,000.00, plus closing costs of approximately $2,000.00 and authorizing the Real Estate Coordinator, or authorized designee, to execute, deliver and deposit into escrow the approved purchase agreement along with all other documents and instructions necessary to consummate the purchase of said real estate.

BACKGROUND/DISCUSSION
Mr. and Mrs. Michael M. Sarvi, the owners of the property located at 298 E. Chandler Boulevard (northwest corner of Chandler Boulevard and Delaware Street), have agreed to sell their property to the City of Chandler for $50,000.00 plus closing costs. The property appraised at $41,100.00. The property has a land area of 3,000 sq. ft. and is improved with a vacant 790 sq. ft. shell structure.

The property is desired by the City for right-of-way for Chandler Boulevard should it be improved in the future. Due to its unique size and location, the property has limited development potential. The City's purchase of the property solves a long-term maintenance challenge and will allow aesthetic improvement in the area.

14. PRELIMINARY DEVELOPMENT PLAN: Layton Lakes Parcel 22

APPROVED Preliminary Development Plan PDP14-0008 Layton Lakes Parcel 22, for housing product on a portion of approximately 44.5 acres located south and east of the SEC of Gilbert and Queen Creek roads. (Applicant: Brennan Ray; Burch & Cracchiolo, PA.)

BACKGROUND
The approximate 832-acre Layton Lakes Master Planned development received PAD zoning in March 2001. Of the 832 acres, approximately 373 are within the City of Chandler with the majority of Phase I occurring in the Town of Gilbert. In December 2003, a PDP was approved for the 21.6-acre Community Recreation Center as the part of Phase 1 within the City of Chandler. In February 2004, Council approved a Preliminary Development Plan (PDP) and Preliminary Plat

involving the subdivision layout and landscape plans for Phases 2, 3 and 4 of the master planned community. The subject Parcel 22 was part of this PDP approval and included 95 residential units. Most recently, Parcel 22 was amended from the original 95 lots with a standard lot size of 90'x120' (10,800 sq. ft.), to 96 lots with a standard lot size of 90'x140' (12,600 sq. ft.). Each of the 7 residential subdivisions within the Chandler portion of Layton Lakes, would be required to process future PDPs for the housing product.

The subject Parcel 11 is bordered to the north by a portion of the Layton Lakes lake system and open space, with Parcel 21 located north of the lake and stream. Layton Lakes Boulevard abuts the site's east side, with additional Layton Lakes open space and the Eastern Canal abutting the site's western side. The Appleby Road alignment borders the site's southern side with existing rural residential properties within Maricopa County located south of the Appleby Road alignment.

The request is for PDP approval of housing product for 47 lots within the 96-lot Parcel 22. The remaining lots within the parcel will be built by a different builder (Taylor Morrison), currently in review. The proposed housing product by Maracay Homes includes 5 single-story plans ranging in size from 2,990 square feet to 3,844 square feet. Due to the standard lot width of 90', multiple housing product widths are offered. One 57-foot wide plan, two 65-foot wide plans and two 70-foot wide plans are offered. Four distinct architectural styles are offered with each plan utilizing at least three. Additional product details can be found in the Development Booklet.

DISCUSSION

Planning Staff supports the request finding the proposed housing product to represent a quality addition to the Layton Lakes community. The homes meet the intent of the Residential Development Standards by not only providing strong architectural design diversity, but through product-width diversity as well.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on September 3, 2014. There were several rural residential property owners in attendance with questions and discussion regarding the proposed housing product. There was no opposition and the residents were pleased with the all single-story product offering. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6-0 with Commissioner Baron absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "LAYTON LAKES PARCEL 22" kept on file in the City of Chandler Planning Services Division in File No. PDP14-0008, except as modified by condition herein.
2. Compliance with the original stipulations adopted by the City Council as Ordinance 3250, case DVR00-0025 LAYTON LAKES, except as modified by condition herein.
3. Compliance with the original stipulations adopted by the City Council as case PDP03-0038 LAYTON LAKES, except as modified by condition herein.
4. The same elevation shall not be built side-by-side or directly across the street from one another.

5. Window mullion/muntin patterns shall remain consistent on all sides of the homes.

15. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Museum Board	Library Board	Domestic Violence Commission
Sam Huang	Rachel Sutherland	Jon Repar

16. CLAIMS REPORT

APPROVED the Claims Report for the quarter ended September 30, 2014.

17. GENERAL FUND TRANSFER

APPROVED the transfer of General Fund Non-Departmental Contingency appropriation to the Police Department Personnel Accounts to provide appropriation for the remaining 9 months of FY 2014-2015 for two new Police Officers (one School Resource Officer (SRO) and one Crime Prevention Officer) in the amount of $136,500.00.

BACKGROUND
For Fiscal Year 2014-2015, the City has budgeted salary and benefit costs in the General Fund for 9 SRO's at a total City cost of $1,066,079.00 (salaries plus benefits). It was anticipated that 6 of these positions (3 in the Kyrene School District and 3 in the Chandler Unified School District) would be 100% funded by reimbursement from the districts. Additionally, 3 Chandler Unified School District positions were to be 50% funded by the district and 50% funded by the City's General Fund. Total budgeted revenue (reimbursements) for these 9 positions is $971,787.00.

Fortunately, the Chandler Unified School District was able to obtain sufficient grants to fully cover the cost of the three 50%-funded positions, which will increase the City's associated revenue by $173,789.00 to $1,145,576.00. With this additional revenue, the Police Department is requesting to fund a new ongoing Crime Prevention Police Officer position. However, as a mid-year position add, this will require additional appropriation of $68,250.00 for the remaining nine months of the fiscal year. This assumes an existing senior police officer would fill this new position, requiring a backfill of an entry level officer at an estimated full year cost of $91,000.00. This position is needed to provide each of the three precinct commanders with a resource to direct crime prevention efforts within their respective precincts, strengthen community partnerships, and implement crime suppression strategies. Presently, there are two crime prevention officers assigned to the Community Resource section. An additional crime prevention officer would allow for the de-centralization of the crime prevention function ensuring responsibility and accountability at the precinct command level.

Additionally, the Mesa Public Schools District obtained a grant to fund an SRO for Summit Academy at 80% funding, bringing the total number of SROs up to ten. The Police Department would like to fill this SRO position which will result in additional revenue of $72,800.00 in reimbursement, but also requires $68,250.00 additional appropriation for the remaining nine months of the fiscal year. This again assumes a senior officer would fill this position, requiring the backfill of an entry level officer. The advantage of adding this position is threefold; it completes the coverage of all common middle schools in the City limits of Chandler, provides annual safety education to an additional 1,200 students and delivers protection including immediate response to any threats to the safety of the students.

In order to provide sufficient spending appropriation for the remainder of FY 2014-15 for these two new positions, an appropriations transfer from the Non-Departmental General Fund Contingency is needed requiring Council approval.

FINANCIAL IMPLICATIONS
A transfer of General Fund Non-Departmental Contingency appropriation to the Police Department Personnel Accounts is needed to pay for the remaining nine months of FY 2014-15 for the two new positions. This will provide spending authority for the additional revenue to be received. The approval of these two new positions will add an ongoing expense of approximately $182,000.00 with an estimated $256,655.00 in revenues to offset these costs.

18. AGREEMENT: Clearwing Productions

APPROVED Agreement No. CS5-855-3420 for the purchase of 12 moving lights to Clearwing Productions in the amount of $93,954.58.

Over the past few years, the request for moving lights in the Technical Riders of performances has increased as discerning audiences have grown more accustomed to theatrical advances. To meet this demand, Staff has rented these fixtures to supplement the City's standard lighting. In the FY 2014/15 budget, City Council approved $96,000.00 to purchase moving lights. This purchase was agreed upon as a 3-way split between the City, Chandler Unified School District and the Chandler Cultural Foundation with each paying $32,000.00. Both the School District and the Cultural Foundation have agreed with that funding split. The purchase meets the technical needs of touring and local lighting designers.

19. AGREEMENT AMENDMENT: Baker & Taylor and Midwest Tape, LLC

APPROVED Agreement No. CS3-526-3145, Amendment No. 1, with Baker & Taylor, Inc., and Midwest Tape, LLC, for library materials and related services in a combined total amount not to exceed $1,450,000.00 for the first optional two-year period.

The library contracts with book and media vendors to obtain the best discount for library materials. These agreements will enable the library to continue to receive the best prices. The items purchased from these vendors are discounted up to 46.5% and come preprocessed so they can quickly be made available to library customers.

20. PROJECT AGREEMENT: Gavan and Barker, Inc.

APPROVED a Project Agreement with Gavan and Barker, Inc., for landscape design consulting services, Project No. PR1502.21, pursuant to Annual Landscape Design Consulting Services Contract No. EN1511.101, in an amount not to exceed $49,074.00 (Harris Park).

Harris Park is a 0.81-acre neighborhood park that is located south of the Alta Steelyard Loft project and serves the residents in the square mile bordered by Chandler Boulevard, McQueen Road, Pecos Road and Arizona Avenue. It was purchased in 1966 and originally developed in 1967. The park was renovated in 1994. Formerly known as Elgin Park, the park was renamed in 2002 in honor of Mr. N. J. Harris.

On July 10, 2014, a development agreement between the City of Chandler and PR III/Wood Chandler Apartments, LLC, was approved by the City Council. As a part of this agreement, the

City is responsible for renovating Harris Park at a future date when funding becomes available. The agreement also states that the City shall proceed to undertake and complete the design work for said renovations on or before January 2015.

21. CONTRACT AMENDMENT: CH2M Hill, Inc.

APPROVED Contract No. WA1302.201, Amendment No. 1, with CH2M Hill, Inc. for additional professional design services associated with the Railroad Well and Iris Well Equipping Design in an amount not to exceed $42,896.00 for a total revised contract amount of $267,608.00.

On June 13, 2013, City Council approved Contract No. WA1302.201 for well equipping design of the Railroad Well and Iris Well with CH2M Hill, Inc. The design for the two separate wells is in progress. Construction will be implemented as a single project to achieve cost savings due to implementation efficiencies. The Railroad Well site fronts on Ocotillo Road just east of Arizona Avenue and its design must closely coordinate with the Ocotillo Roadway Improvement Project (ST0808). The coordination between these two projects has resulted in some scope items being added to the Railroad Well design that will require the need for additional work and time. The three items that this amendment addresses are additional drainage design along the frontage of the Railroad Well site facing Ocotillo Road, a new driveway entrance to the Railroad Well site and design of a new pump-to-waste pipeline.

The Iris Well site is situated within an existing subdivision and its design has proceeded independently.

22. AGREEMENT AMENDMENT: Municipal Emergency Services, Inc.

APPROVED Agreement No. FD3-340-3133, Amendment No. 2, with Municipal Emergency Services, Inc. (MES), for the purchase of fire protective clothing and uniforms in an amount not to exceed $300,000.00. This is the second of four optional one-year renewals and includes a 5% price increase

The Fire Department selects a vendor to provide Department approved uniforms to the members of the Department. The members use an annual uniform allowance to purchase their individual uniforms. As uniforms are purchased throughout the year, amounts are deducted from each member's account. The account balances are tracked by the vendor and billing invoices are sent to Fire Administration monthly. This helps to insure that Department members present the best appearance to the public and that they are provided with uniform items that meet national standards for safety. Also, firefighters are provided with protective clothing that includes turnout coats, turnout pants, firefighting boots and a firefighting helmet. The Department has an inspection program in which turnouts are inspected once a year and it is determined if the turnouts need to be repaired and/or replaced. This inspection insures firefighting protective clothing is safe and meets compliance with the National Fire Protection Association's (NFPA) guidelines. In FY 2014/15, the Department has $211,400.00 budgeted for uniforms and $88,600.00 budgeted for protective clothing.

23. AGREEMENT: Patrol Vehicles

APPROVED Agreement No. FD5-071-3422 with PFVT Motors in the amount of $125,933.08 and Midway Chevrolet in the amount of $634,335.42, for a total amount of $760,268.50 for the purchase of patrol vehicles.

During the FY 2014/15 budget process, the Police Department submitted vehicles to be considered for replacement in FY 2014/15. The City's Fleet Advisory Committee (FAC) evaluates all vehicle replacement requests with regards to mileage, years of service, reliability, repair history and forecasted ability to meet service requirements. The FAC recommends replacing 26 vehicles used by Police Field Operations. All 26 of the old vehicles being replaced are Chevrolet Tahoes and Ford Crown Victorias. The recommended new replacements are 6 Chevrolet Caprice Police Patrol vehicles, 15 Tahoe Police Patrol vehicles and 3 Ford Police Interceptor Utilities. Two Ford Fusions are recommended for Staff officer service.

24. AGREEMENT: Vehicle Purchase

APPROVED Agreement No. FD5-071-3413 for the purchase of vehicles (light trucks) with Sanderson Ford, Inc., in the amount of $310,705.93, Tom Jones Ford in the amount of $135,389.03 and Haas Ford dba Freedom Ford and Lincoln in the amount of $79,084.73 for a total amount of $525,179.69.

During the FY 2013/14 budget process, Municipal Utilities, Police and Transportation & Development departments submitted vans and light duty trucks to be considered for replacement in FY 2014/15. The City's Fleet Advisory Committee (FAC) evaluates all vehicle replacement requests with regards to mileage, years of service, reliability, repair history and forecasted ability to meet service requirements. The FAC recommends replacing 4 vans and 17 light trucks.

25. AGREEMENT AMENDMENT: All City Towing

APPROVED Agreement No. PD3-968-3140, Amendment No. 1, for Police towing service with ACT Towing dba All City Towing, for a two-year period with the option of one additional two-year extension.

In December of 1995, the City began utilizing a contract for towing service. Contract towing service has proven to be a successful alternative to the previous rotation program. Some of the benefits provided by contract service include lower cost to the citizens, fewer customer complaints and a streamlined workload for the Police Department. The Police Department utilizes the contract for vehicle towing, storage and impounding services including removal of wrecked vehicles, vehicles abandoned on City streets, vehicles left unattended in a traffic way, vehicles towed for evidentiary purposes and vehicles towed due to an arrested driver.

In 2013, Senate Bill 1075 revised provisions regarding storage fees related to impounds pursuant to ARS 28-3511 *et.seq.* Senate Bill 1075 revised the maximum storage rate to a state legislated rate of $15.00 per day. The current contract storage rate is $9.00 per day for all storage including impound and non-impound storage. The purpose of Amendment No. 1 is to amend the agreement provisions regarding impounding fees to reflect the new statute and to execute the first available extension. The rates for non-impounding storage will remain at $9.00 per day.

26. GRANT AGREEMENTS: Arizona Department of Homeland Security

APPROVED grant agreements with the Arizona Department of Homeland Security to be used for emergency preparedness in the total amount of $235,000.00.

BACKGROUND
The City of Chandler established a Fire/Police Rapid Response Team and Fire/Police Terrorism Liaison Officers program in 2003 with federal funding from the State Homeland Security Grant

program. Each of these programs ensure that Fire and Police personnel are prepared and equipped to respond to large scale emergencies, terrorist events and natural and/or man-made disasters. The purpose of the awards is to provide equipment and training to sustain these emergency preparedness programs.

The grants will be used for the following projects:

• Enhance Rapid Response Teams – Police RRT	$108,000
• UASI Assessment Teams-Terrorism Liaison Officers (Chandler Police)	$ 6,000
• CERT Training	$ 5,000
• Enhance Rapid Response Teams – Fire RRT	$ 108,000
• UASI Assessment Teams-Terrorism Liaison Officers (Chandler Fire)	$ 8,000
	$ 235,000

FINANCIAL IMPLICATIONS
These grants have no match requirements. Chandler Fire, Health & Medical has the appropriation allocation for both Fire and Police in the FY 2014/15 budget.

27. AGREEMENT: Vincon Engineering Construction, LLC

APPROVED Agreement No. ST5-745-3435 with Vincon Engineering Construction, LLC, for concrete repair and maintenance in the amount of $3,500,000.00 for one year with options to renew for four additional one-year periods.

28. AGREEMENT: Vincon Engineering Construction, LLC

APPROVED Agreement No. ST5-745-3433 with Vincon Engineering Construction, LLC, for asphalt rubber crack sealing in the amount of $300,000.00 for one year with options to renew for up to four additional one-year periods.

29. AGREEMENT: MR Tanner Development & Construction, Inc.

APPROVED Agreement No. ST5-745-3434 with MR Tanner Development & Construction, Inc., for asphalt maintenance and repair in an amount of $250,000.00 for one year with options to renew for up to four additional one-year periods.

30. AGREEMENT & CONTINGENCY TRANSFER: Altec Industries, Inc.

APPROVED Agreement No. TE5-070-3441 for the purchase of two (2) bucket trucks from Altec Industries, Inc. in the amount of $250,212.42.
APPROVED the contingency transfer of $49,613.00 from the Vehicle Replacement Fund Non-Departmental Contingency Account to the Vehicle Replacement Fund Transportation & Development Account.

31. CONTRACT: Salt River Project

APPROVED Contract No. ST0808-401 with Salt River Project (SRP) for design and construction for removal of overhead facilities, overhead conversion and installation of primary conductor and equipment to accommodate the Ocotillo Road Improvements in an amount not to exceed $77,397.22.

32. CONTRACT: Kimley-Horn and Associates

APPROVED Contract No. ST1409.201 with Kimley-Horn and Associates for design services for Western Canal Pedestrian and Bicycle Crossing Improvements at the Union Pacific Railroad (UPRR) in an amount not to exceed $49,200.00.

The City has a license agreement with Salt River Project for an existing multi-use path along the south side of the Western Canal from Price Road to the UPRR, ½ mile east of Arizona Avenue. The project scope consists of filling in a gap within the existing multi-use rail system at the UPRR crossing by designing a 10-foot wide concrete path and adding at-grade railroad crossing improvements. The construction of this project will utilize federal Congestion Mitigation Air Quality (CMQ) funds.

Crossing improvements include replacing the wooden panels between the rails with concrete panels and installing railroad crossing signals with flashing lights, audible bell device and signage.

This design concept was developed by a collaborative effort by the Maricopa Association of Governments (MAG), several cities including Chandler, and the UPRR. The current design does not include automated crossing gates from the original design a few years ago.

As the lead consultant for the MAG "Bicycle and Pedestrian Pathway/Railroad Crossing Recommendations" report, Kimley-Horn and Associates worked with UPRR on railroad crossing solutions around the Valley and completed 15% design plans for this location.

33. CONTRACT: Salt River Project
APPROVED Contract No. ST1305.501 with Salt River Project (SRP) for construction, removal of existing cast-in-place pipe with reinforced concrete pipe and installation of two new manholes on Queen Creek Road to accommodate the Old Price Road and Queen Creek Road Intersection Improvements in an amount not to exceed $253,241.00.

34. PURCHASE: Exercise Equipment

APPROVED the purchase of exercise equipment for the Tumbleweed Recreation Center from Advanced Exercise Equipment, National Joint Powers Alliance (NJPA) Contract No. 021512-LFF, in an amount not to exceed $64,000.00.

Eight pieces of equipment are being purchased as part of a five-year replacement plan (currently in the third year) of the existing 47 pieces of cardio equipment at the Tumbleweed Recreation Center (TRC). The pieces of equipment being purchased include five treadmills, two ellipticals, and one Powermill stair stepper. The new equipment will replace the older models. The new models are all equipped with the LifeFitness Wi-Fi technology that the TRC currently has in place and will enhance the users' workouts. The TRC will also receive a trade-in credit of $7,000.00 on the eight pieces of equipment that are being replaced.

35. PURCHASE: Corona Solutions

APPROVED the purchase of law enforcement staffing analysis and data-mining subscription from Corona Software, Inc., dba Corona Solutions, sole source, for a three-year term, in an amount not to exceed $154,719.00.

The Police Department is requesting the purchase of the staffing analysis and police incident "data-mining" subscription for a three-year service period using asset forfeiture funds. A three-year service agreement entitles the Chandler Police Department to a $6,300.00 discount over a year-to-year purchase. This product is specific to law enforcement and is available only through Corona Solutions.

"Deploy" is a police staffing analysis tool that provides analytical capabilities based on a number of elements to include City geography, service time demands, and response times while factoring in existing staffing constraints (i.e. number of authorized positions). This tool will help Chandler PD to determine staffing efficiencies and deficiencies as well as forecast future staffing needs.

"Discover" is a data-mining tool that grants easy access to the Department's reported crime data, provides extensive search capabilities and allows for the generation and delivery of a large variety of reports. Additionally, this product analyzes the types of calls coming in to the Chandler PD. This product can be programmed to automatically notify designated police personnel of the activities in their assigned areas. These notifications may occur within minutes of the criminal occurrence.

Overall, these products would harness the large amounts of data acquired through the Department's computer-aided dispatch system. This data can then be used to conduct useful and timely analysis of officer activity as well as criminal activity throughout the City.

36. AGREEMENT: Bair Analytics, Inc.

APPROVED an agreement with Bair Analytics, Inc., for crime analysis software and embedded analyst services, sole source, in the amount of $92,270.00.
The BAIR Analytics agreement gives the Crime Analysis and Research Unit the ability to meet the Chandler Police Department (CPD) direction for proactive and predictive analytics. This agreement supports practical CPD crime analysis functionality for strategic, operational, tactical, and administrative crime analysis to include spatial and temporal analysis for both long and short term analytical projects. The agreement includes an embedded police crime analyst for a one-year term and provides data services necessary to meet this objection.

The embedded pattern analyst will provide training in advanced analytical techniques and methodologies to existing crime analysis and research unit staff. This training will be incorporated into the everyday production of crime analysis products such as recognizing and disseminating crime trends and patterns, creating and disseminating crime trends and patterns, creating and disseminating crime bulletins, producing statistical reports and crime suppression meeting documents.

Data services include an automated data feed of crime reports and calls for service data into our current BAIR Analytics software, Automated Tactical Analysis of Crime Workstation. This increases product functionality while offering the unique feature of an embedded analyst to provide the training and consulting on the software and how it can best be utilized with existing Chandler Police Department systems.

37. PURCHASE: Vehicles

APPROVED the purchase of heavy duty trucks, undercover vehicles and administrative vehicles, utilizing the State of Arizona contract, from Chapman Ford in an amount of $47,726.06, Larry

Miller Dodge in an amount of $53,982.23, Midway Chevrolet in an amount of $208,572.66. PFVT in an amount of $497,150.50 and Sanderson Ford in an amount of $711,632.90 for a total amount of $1,519,063.35.

During the FY 2013/14 budget process, Communication & Public Affairs, City Manager, Community Services, Fire Health & Medical, Municipal Utilities, Police and Transportation & Development departments submitted passenger vehicles and heavy duty service body trucks to be considered for replacement in FY 2014/15. The City's Fleet Advisory Committee (FAC) evaluates all vehicle replacement requests with regards to mileage, years of service, reliability, repair history and forecasted ability to meet service requirements. The FAC recommends replacing 19 passenger vehicles and 26 heavy duty service trucks.

38. PURCHASE: Creative Communications

APPROVED the purchase of emergency vehicle up-fitting from Creative Communications, utilizing the City of Phoenix contract, in the amount of $366,577.45.

Public safety depends on specialized automobiles and trucks to provide service delivery. Up-fitting modifies vehicles to provide emergency response warning devices, communication systems and equipment/personnel carrying capabilities. The vehicles must provide safe, dependable, effective and comfortable transportation for personnel as well as required equipment. The design engineers and installation technicians involved in up-fitting must be highly skilled and experienced in order to design and build efficient, long lasting public safety vehicles. In 2014/15, the City of Chandler is replacing 27 public safety vehicles that require up-fitting.

39. PURCHASE: Tires

APPROVED the purchase of tires for City-owned equipment and vehicles from numerous State contract supply points, utilizing the State of Arizona contract, in an amount not to exceed $260,000.00.

40. PURCHASE: Miscellaneous Supplies

APPROVED the purchase of miscellaneous supplies, building materials and related services from Home Depot and HD Supply Facilities Maintenance, utilizing the U.S. Communities Government Purchasing Alliance Contract No. 11019-RFP, in an amount not to exceed $250,000.00.

41. PURCHASE: EMC Corporation

APPROVED the purchase of network storage annual support from EMC Corporation, utilizing the State of Arizona/Western States Contracting Alliance (WSCA) Contract No. ADSPO-00000049/B2716, in an amount of $319,632.00.

The City of Chandler continues to have great success with EMC SAN and NAS storage technologies. Services such as Oracle E-Business Suite, Accela Automation, Lucity, MyTimekeeper, EDMS, ChandlerAZ.gov and many other applications rely on enterprise class storage for reliable service. Renewal of support and maintenance on this equipment will ensure timely response to support issues and replacement of faulted components. The renewal also guarantees software updates for performance, bug fix and security related issues. As the

manufacturer of the hardware and software, EMC is the direct provider of support for these systems and the WSCA contract with EMC provides the best value to the City.

42. PURCHASE: Nexus IS, Inc.

APPROVED the purchase of Cisco network and server equipment from Nexus IS, Inc., utilizing the State of Arizona Contract No. ADSPO12-02422 in an amount of $831,847.00.

Most City of Chandler information technology infrastructure equipment is evaluated after 5 years of operation to determine reliability and viability for continued use. Equipment operating core Citywide databases, Citywide financials and human resources systems, criminal justice systems and network infrastructure has been evaluated this fiscal year under this methodology. It has been determined that this equipment has reached end of useful life and needs to be replaced to reduce the risk of unplanned outages. All equipment has been in use for over 5 years and is being replaced as part of the technology replacement cycle.

Cicso server technology offers the level of reliability and performance that meets the City standards for service. The focus of this purchase is to replace the existing server equipment for the Oracle E-Business Suite (Citywide financials and human resources system), related server hardware as well as the Oracle database hardware for Citywide applications such as Permits & Inspections, Geographic Information System, Criminal Justice Information Systems and other Citywide or departmental applications.

The Cisco networking infrastructure that is in need of replacement for this fiscal year includes equipment that is installed in various remote City facilities that enables connectivity to critical City technology services that are provided on centralized systems. This connectivity is crucial to processes that require connectivity to City technology services and systems.

NEXUS IS, Inc., is an authorized reseller of Cisco hardware, has a participating Western States Contracting Alliance contract and was able to work with the City and Cisco to authorize additional savings outside of standard negotiated discounts.

43. PURCHASE: Knowledge Services

APPROVED the purchase of Information Technology consulting and staffing services from Guidesoft, Inc., dba Knowledge Services, utilizing the State of Arizona Contract No. ADSPO012-031581, in an amount not to exceed $256,800.00.

Information Technology has historically hired temporary employees to assist in special projects or backfill vacant positions by utilizing competitively bid temporary staffing agreements. These temporary employees have specialized skills in specific technical areas which complement Information Technology Staff and are intended to work on a temporary basis for a specific assignment. The Information Technology field is becoming increasingly more competitive for specialized resources; assistance is needed to find qualified resources in a timely manner.

The State has contracted with Knowledge Services to provide contract technical support resources. Knowledge Services is a "consolidator" of contract resource providers. They represent a wide range of contract staffing firms. The City provides the requirements; Knowledge Services poll their providers for resources and the City interviews the resources and makes a selection. The City then enters into an agreement with Knowledge Services to provide the necessary resource from the most qualified resource provider.

The Information Technology Division brought forward a request in FY 2013/14 to procure temporary staffing services from this vendor and is now looking to expand these services for the remainder of the current fiscal year. These resources will continue to provide the services on several Citywide initiatives identified as priorities by the Information Technology Oversight Committee (ITOC). The complexity of the Lucity and Accela upgrade projects with their multi-point integration with several City Enterprise systems is being simplified by utilizing the Enterprise Service Bus technology. This extension is due to multiple factors including a more complete understanding of the work required for the projects and more complex initial interface design requirements than originally anticipated. The contractor is cross-training City Staff to be able to maintain the system long term.

Information Technology is seeking an extension of two key resources:

1. Enterprise Service Bus Interface Developer: This resource will continue to develop new technology system interfaces for various applications being upgraded or implemented. The contractor has also been tasked to simplify enterprise system integration utilizing best practices with the Enterprise Service Bus tool set. Total cost is $202,400.00 for 1,760 hours at $115/hour. This will extend these services through the remainder of this fiscal year.
2. ITOC Project Manager: This resource will provide assistance managing multiple ITOC prioritized projects. There are numerous major ITOC projects being worked on simultaneously and this resource is filling in for a vacant IT Principal Service Delivery Analyst, which is currently under recruitment. This resource will help ensure these projects will continue to be delivered on time and on schedule. Total cost is $54,400.00 for 680 hours at $80/hour. This will extend this resource through the end of January 2015 at which time the vacancy is expected to be filled.

44. USE PERMIT: Mid Mountain Excavation

APPROVED Use Permit ZUP14-0006 Mid Mountain Excavation, extension for the continued operation of an excavation business located at 900 E. Germann Road, west of the NWC of Germann and McQueen roads. (Applicant: Ed Johnson; Owner Mid Mountain Excavation.)

BACKGROUND

The request is for Use Permit extension approval to allow the continued operation of an excavation business on property zoned Planned Area Development (PAD) for a mixed-use project with fuel station, RV storage and retail elements. The excavation business has operated on approximately ¾ acres of the 9-acre site that surrounds it since 2004. A Use Permit was granted for two years for the business in early 2012. West of the excavation business on the same 9-acre site, is a legal nonconforming auto repair business that includes a metal building and a paved parking lot. Besides the two businesses and a cell tower located along the northern property boundary, the remainder of the site is vacant.

The site received PAD zoning and Preliminary Development Plan approval in 2008 for a fuel station, RV storage and retail project that was to take up the entire site. The project has yet to be developed and is not anticipated to be developed in the upcoming years due to a reduction in commercial demand.

DISCUSSION

The subject business is primarily a swimming pool excavation business with ancillary contractor and municipal construction services. It uses an existing house on the property for its main office that is set back approximately 90' from the Germann Road ROW. Surrounding the office building is a 36,000 square foot vehicle and equipment storage yard enclosed by a chain-link fence that is set back 35' from the Germann Road ROW. Vehicles and equipment stored in the yard include dump trucks, backhoes, smaller trailers and employee vehicles. The yard surface is unimproved. An asphalt driveway connects the gate on the eastern portion of the fencing to the existing Germann Road curb cut. Hours of operation will vary seasonally within the window of approximately 6 a.m. to 5 p.m. The applicant would like to continue operating the business in largely the same manner as it currently is.

A number of concerns were expressed by Planning Staff at the time of initial Use Permit approval that primarily involved the ability to meet a number of the Commercial Design Standards. As part of the Use Permit approval, conditions were added requiring the following:

1. Decomposed granite and boulders along the street frontage,
2. Providing screening materials in addition to the chain link fence, and
3. Providing compacted asphalt as an improved drivable surface into the yard.

The conditions were acted upon and the site is operating consistent with the original Use Permit conditions of approval.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code. Due to there being only a few property owners within the notification list, a neighborhood meeting was not held; however, a letter explaining the request along with contact information for both the applicant and City Staff was provided. Planning Staff has heard from one neighbor who had general questions about the request. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Substantial conformance with application materials (Site Plan, Narrative) kept on file in the City of Chandler Planning Division in File No. ZUP14-0006, except as modified by condition herein.
2. The Use Permit shall be extended for a period of three (3) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.

45. USE PERMIT: Verizon at Pima Park

APPROVED Use Permit ZUP14-0015 Verizon at Pima Park, to install a wireless communication facility on a ball field light pole within the City of Chandler's Pima Park located at 625 N. McQueen Road, NEC of McQueen Road and Thatcher Boulevard. (Applicant: James Gardner, Shaw & Associates; Owner: City of Chandler.)

BACKGROUND

The request is for Use Permit approval to install a wireless communication facility on a ball field light pole within the City of Chandler's Pima Park located at 625 N. McQueen Road. The surrounding uses are Nicholas Point, The Tradition, Sierra Point North and McQueen North single-family subdivisions. McQueen Commons townhouse development, which has not yet commenced construction, is directly north of the park. Sanborn Elementary school is east.

The Verizon facility would be the first wireless service provider to locate within Pima Park. A Use Permit is required because the facility would not be on the farthest available light pole from residential neighbors. The applicant worked extensively with City Staff to identify a location within the park that met both the Park Department requirements and those of the provider. The ball field light pole selected appears to be the least intrusive to the surrounding developments and to park users. It is sited approximately 218 ft. south of McQueen Commons and 215 ft. east of Sierra Point subdivision, across McQueen Road.

The existing ball field light pole is 55 ft. in height. The replacement ball field light pole will remain at the same height but the diameter increases slightly to support the antennas and comply with building and structural code requirements. The top of antennas will be at 45 ft. above grade with a 2 ft. diameter microwave dish placed below the antenna array.

A 9 ft. high equipment enclosure is proposed to be located approximately 158 ft. to the north of the ball field light pole. It would be constructed of concrete masonry units painted to match the color of existing walls in the park. A state approved pre-fabricated equipment shelter and a back-up generator would be contained within the enclosure. A solid metal gate would allow access for routine maintenance. Landscape is proposed around the north, south and east sides of the enclosure.

Within the immediate area, there are no other suitable alternatives for co-location of the wireless communication facility on existing poles or towers. An inventory of existing facilities, vertical towers and structures located within an approximate one-mile radius was prepared by the applicant to assess alternative locations.

Several locations were analyzed to determine their feasibility for collocation on utility poles, street and parking lot lights, monopoles and other verticalities. None of the locations met the frequency requirements and locational service needs.

DISCUSSION

Planning Staff supports the request. The proposed location is appropriate for a wireless communication facility attached to a ball field light pole. The separation from the residential properties is consistent with recently approved wireless communication facilities which are located approximately 160 ft. from residentially zoned properties

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 8, 2014. There were no neighbors in attendance. Planning Staff received several phone calls and emails. One resident is in support of the request and two households are in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.

46. USE PERMIT: #1A Lifesafer of Arizona, LLC

APPROVED Use Permit ZUP14-0017,#1A Lifesafer of Arizona, LLC, for automotive accessory installations within a Planned Area Development zoned district that allows for industrial/office/warehouse uses located at 480 E. Warner Road, Suite 1, within the Warner Business Center development. (Applicant: Paul Masse; PHM Ltd.)

BACKGROUND
The subject site is located at the northeast corner of Warner Road and Nevada Street within the Warner Business Center. Directly north of the site is a City of Chandler water tank and industrial buildings. West, across Nevada Street, is the Biscayne Bay apartment complex. East is the Southern Pacific Railroad with the single-family San Vicente residential subdivision east of the track; south is Warner Road.

Warner Business Center, which is part of the Westech Corporate Center, has been zoned PAD for employment uses since 1985. In 2005, the business center received PDP approval for an office/warehouse development with six multi-suite buildings arranged in three rows. In 2012, the permitted uses were expanded to add additional "light retail" uses that would increase the area for retail sales beyond the practice of 10% for showroom uses. The retail uses allowed did not anticipate automotive accessory installations. Each row of buildings has a parking field in front of the suites with a small truck courtyard in the rear of the buildings.

The current request is for Use Permit approval to allow for the installation of ignition interlock devices that require a clean breathalyzer test in order for the vehicle to start. The interlocking devices are installed in the vehicle. Additionally, on a monthly basis, clients are required to visit the site so that the devices can be monitored. Clients will arrive at the site, be instructed to pull in the rear of the building where diagnostics are performed. Following the diagnostics, the clients then leave the facility to resume their normal daily routine. The business is currently in operation and was cited in June of this year for operating without a Use Permit. Following the citation, the applicant submitted for the Use Permit.

DISCUSSION
The Planning Commission and Planning Staff support the request citing that historically, requests for automotive accessory installations have successfully worked in industrial/warehouse developments and typically do not generate the concerns with traffic or noise that locations outside of an industrial development may create.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 27, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. On-street parking is prohibited. All vehicles must be parked within designated parking spaces inside the paved parking lot, fenced yard or inside the building.
3. The Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
4. All motor vehicle customization and installations shall occur indoors.
5. Outdoor storage is prohibited.
6. The site shall be maintained in a clean and orderly manner.

47. USE PERMIT: Evolution Custom Cycles

APPROVED Use Permit ZUP14-0021 Evolution Custom Cycles, for motorcycle sales, customization and accessory installations within a Planned Area Development zoned district that allows for industrial/office/warehouse uses located at 430 E. Warner Road, Suites 1 and 2, within the Warner Business Center development. (Applicant: Paul Masse; PHM Ltd.)

BACKGROUND
The subject site is located at the northeast corner of Warner Road and Nevada Street within the Warner Business Center. Directly north of the site is a City of Chandler water tank and industrial buildings. West, across Nevada Street, is the Biscayne Bay apartment complex. East is the Southern Pacific Railroad, with the single-family San Vicente residential subdivision east of the track; south is Warner Road

Warner Business Center, which is part of the Westech Corporate Center, has been zoned PAD for employment uses since 1985. In 2005, the business center received PDP approval for an office/warehouse development with six multi-suite buildings arranged in three rows. In 2012, the permitted uses were expanded to add additional "light retail" uses that would increase the area for retail sales beyond the practice of 10% for showroom uses. The retail uses allowed did not anticipate automotive accessory installations. Each row of buildings has a parking field in front of the suites with a small truck courtyard in the rear of the buildings.

The request is for Use Permit approval to allow for the sale, customization and accessory installations of motorcycles. The business largely does motorcycle customization and accessory installations that often includes machining, welding and mechanical assembly. In addition to the machining, welding and assembly portions of the business, the occasional motorcycle is customized from the ground-up and sold on the premises. It is anticipated that custom motorcycle sales would equate to less than half a dozen motorcycles a year.

DISCUSSION
The Planning Commission and Planning Staff support the request citing that historically, requests for automotive accessory installations have successfully worked in industrial/warehouse developments and typically do not generate the concerns with traffic or noise that locations outside of an industrial development may create.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on September 10, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6-0 with Commissioner Baron absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. On-street parking is prohibited. All vehicles must be parked within designated parking spaces inside the paved parking lot, fenced yard or inside the building.
3. The Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
4. All motor vehicle customization and installations shall occur indoors.
5. Outdoor storage is prohibited.
6. The site shall be maintained in a clean and orderly manner.

48. USE PERMIT: AASK – Aid to Adoption of Special Kids

APPROVED Use Permit ZUP14-0023, AASK – Aid to Adoption of Special Kids, to allow a general office use within an existing building on property zoned Planned Area Development (PAD) for Planned Industrial District (I-1) uses located at 175 E. Corporate Place. (Applicant: Ron Adelson with AASK.)

BACKGROUND
The property is located within the Westech Corporate Center industrial business park located east of Arizona Avenue and north of Warner Road. In 1985, the property was zoned Planned Area Development (PAD) for light industrial use. A Preliminary Development Plan (PDP) is required for each parcel that develops. In 2003, a PDP was approved for the site and building design of a single light industrial warehouse building with ancillary general office for an electrical wholesale company.

Parcels to the north, west and east are vacant and planned for light industrial. South of the property is an existing building occupied by Tower Services, a wireless telecommunications contractor.

This application requests approval of a Use Permit to allow a general office use. The property's zoning does not allow 100 percent office use. Recently, AASK purchased this building under the assumption it could be occupied with 100 percent general office. AASK is a nonprofit agency focused on finding families for children in foster care. This site would be AASK's third location in the valley with approximately 20 employees operating Monday through Friday 8 a.m. to 5 p.m. with occasional weekend hours 9 a.m. to 4 p.m. and evening meetings 6:30 p.m. to 9:30 p.m.

The building is approximately 8,980 sq. ft. in size. The building's interior was approved for a warehouse and up to 57% support general office. However, at some point, the prior business expanded the office component without City approval. AASK provides administrative offices and other recourses for employees, families and children including a training room, intake rooms, a play area, multi-purpose room and crafts room.

The site provides 34 of the required 36 parking spaces for general office. A parking demand study was provided and reviewed by Planning Staff finding the site provides adequate parking based on the nature of the proposed office use. There is on-street parking available for overflow parking.

DISCUSSION
The Planning Commission and Planning Staff find the proposed AASK office is compatible with the mix of commercial, office and light industrial uses in the Westech business park area. The location provides adequate parking and access for the office.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting and notice was waived due to the property not being located near any residential areas. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 - 0 with Commissioner Baron absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Exhibit A Narrative, Exhibit B Site Plan, Exhibit C Floor Plan) shall void the Use Permit and require new Use Permit application and approval by the City of Chandler.
2. The Use Permit is non-transferable to any other property.
3. The property shall be maintained in a clean and orderly manner
4. Use Permit approval does not constitute Final Development Plan approval such as building permits and/or Certificate of Occupancy for the general office use; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.

49. USE PERMIT: Social Box/American Eats and Drinks

APPROVED Use Permit LUP14-0014 Social Box/American Eats and Drinks, Series 6 Bar Liquor License, to sell and serve liquor as permitted for on-premise and off-premise consumption within an existing restaurant and outdoor patios located at 1371 N. Alma School Road, the SEC of Alma School and Knox roads. (Applicant: Amy Nations; Arizona Liquor Industry Consultants.)

BACKGROUND
The subject site has a long zoning history going back to the mid-1980's with a variety of liquor licenses and restaurants occupying the site. The current request is for a Use Permit to sell and serve liquor as permitted under a Series 6 Bar Liquor License. While restaurant uses have been established for the site, the current restaurateur is in the process of remodeling the interior by splitting the existing restaurant into two restaurants under one roof and expanding the outdoor

patios allowing each restaurant their own patio. The restaurants will use the same kitchen. The restaurant formerly operated as Iguana Mack's.

The center in which the subject site is located includes restaurants adjacent to the site's north and south, offices south of the adjacent restaurant, parking lots on both the west and east sides, with residential condominiums east of the center.

The restaurants are open seven days a week from 11 a.m. to 2 a.m. and will employ 40 full-time and 20 part-time employees. All of the employees are required to successfully complete State certified liquor law training. The restaurants are approximately 10,000 square feet and will be able to accommodate 259 patrons in the dining areas and 96 patrons in the bar and patio areas.

The two outdoor patio areas are provided, one for each restaurant. The patio for Social Box will be provided north of the entrance, whereas the patio for American Eats and Drinks will be located along the south side of the restaurant. While two patios are proposed, the overall square footage of the combined patios is less than the previously approved patio. The restaurant currently has approval for live entertainment four nights a week by means of a DJ, along with provisions for an acoustic group. Entertainment will be reduced in terms of the type of entertainment going from a DJ to karaoke indoors only, with an occasional single acoustic troubadour. The entertainment allowance includes both restaurants; however, live entertainment will not be provided in both restaurants at the same time.

DISCUSSION

While the footprint of the restaurant is largely staying the same as the previous restaurants, interior modifications to the restaurant include reworking of the seating around the existing bar area for the Social Box side of the restaurant (north), and relocating restrooms, updating the dining area, providing a bar area, and providing an outdoor patio for the American Eats and Drinks side of the restaurant (south). With the last Use Permit, a condition of approval was provided requiring that if any modifications were made that were not in substantial keeping with the presented exhibits, a new Use Permit would be required. Based on the condition, a new Use Permit is required. Additionally, there were concerns with the previous bar's operation; with the redesign of the restaurant and creating a more sit-down restaurant environment, Planning Staff finds that a number of the past concerns will be alleviated; however, Planning Staff is recommending a timing condition of three years. Although the restaurant is creating a more sit-down environment, a Series 6 license is being maintained to allow the ability to sell packaged to-go liquor as well as to sell liquor along with food delivery.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 18, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion, modification or relocation beyond the approved exhibits for interior and exterior areas (Floor Plan, Site Plan and Narrative) shall void the Use Permit and require re-application and approval of a new Use Permit.
2. The Use Permit is granted for a Series 6 license only and any change of licenses shall require re-application and approval of a new Use Permit
3. The Liquor Use Permit shall remain in effect for three (3) years from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
4. The Use Permit is non-transferable to other store locations.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or additional entertainment related uses beyond outdoor speakers and live music shall require reapplication of the Use Permit.
6. The site and outdoor patio shall be maintained in a clean and orderly manner.
7. Music shall be controlled so as to not unreasonably disturb area residents.

50. PERMANENT EXTENSION OF PREMISES: Social Box/American Eats and Drinks

APPROVED a permanent extension of premises for a Series 6 Bar Liquor License (Chandler #139973L) held by Iguana Ventures LLC, dba Social Box/American Eats and Drinks located at 1371 N. Alma School Road. Recommendation for approval of the permanent extension of premises for State Liquor License #6070034 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

51. USE PERMIT: D'Vine Gourmet

APPROVED Use Permit LUP14-0015 D'Vine Gourmet, Series 7 Beer and Wine Liquor License to sell and serve liquor as permitted for on-premise retail sales and sampling within a new retail store located at 4955 S. Alma School Road, Suite D-103, within the Fulton Ranch Promenade shopping center. (Applicant: Andrew McCreery, Owner.)

BACKGROUND

The subject site is located at the northeast corner of Alma School and Chandler Heights roads within The Promenade at Fulton Ranch shopping plaza. The center contains 150,000 sq. ft. of building area for use of retail shops, restaurants and professional offices. The subject site is located at the northeast end of the shopping plaza and occupies 2,511 sq. ft.

D'Vine Gourmet has operated a store with a Use Permit for a Series 7 License at the southeast corner of McQueen and Riggs roads since 2010 and is in the process of relocating to The Promenade at Fulton Ranch. The business is a retail store that sells gourmet gift baskets including bottles of wine and beer. They offer a variety of 50 different wines. A Series 7 liquor license allows the business to provide beer and wine sales for on-premise consumption, as well as on and off-premise sales. The business has no desire at this point to allow on-premise consumption, but rather will use the Series 7 license for the sale of gift baskets that may include wine and beer.

The business is open Monday through Friday 10 a.m. to 6 p.m. and Saturday 10 a.m. to 4 p.m. The store is currently managed by the owner and has one employee. It is anticipated that two additional employees will be hired in the coming months.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on September 29, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require a new Liquor Use Permit application and approval.
2. The Use Permit is granted for a Series 7 license and any change of license shall require reapplication and new Use Permit approval.
3. The Use Permit is non-transferable to other locations.
4. The site shall be maintained in a clean and orderly manner.

52. LIQUOR LICENSE: D'Vine Gourmet

APPROVED a Series 7 Beer and Wine Bar Liquor License (Chandler #154936L7) for Denise Kathleen McCreery, Agent, D'Vine Gourmet, 4955 S. Alma School Road, Suite D103-4. Recommendation for approval of State Liquor License #07070298 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

53. LIQUOR LICENSE: Stone & Vine Urban Italian

APPROVED a Series 12 Restaurant Liquor License (Chandler #154642L12) for Randy D. Nations, Agent, Three Fingers LLC, dba Stone & Vine Urban Italian, 1035 W. Queen Creek Road, Suite 103. Recommendation for approval of State Liquor License #1207A007 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Ocotillo Pizzeria, Inc., dba Patsy Grimaldi's Pizzeria.

54. TEMPORARY EXTENSION OF PREMISES: Jolie's Place

APPROVED a Temporary Extension of Premises for a Series 6 Bar Liquor License (Chandler #139148L6) held by JoJo Tender LLC, dba Jolie's Place, 140 W. Warner Road. Recommendation for a Temporary Extension of Premises for State Liquor License #06070566 will be forwarded to the State Department of Liquor Licenses and Control. The period of the extension is November 8, 2014, from 9 a.m. until 1:30 a.m. for the 2nd Annual Prostate Cancer Corn Hole Tournament. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

55. SPECIAL EVENT LIQUOR LICENSE: Matthew's Crossing Food Bank

APPROVED a Special Event Liquor License for Matthew's Crossing Food Bank for the Sip N Sizzle 2 Event, November 6, 2014, to be held at Connect 5, 222 E. Warner Road. Recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

56. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Holiday Enchantment Gala, November 7, 2014, to be held at Big Two Toyota, 250 S. Gilbert Road. Recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

57. SPECIAL EVENT LIQUOR LICENSE: Chandler Compadres

APPROVED a Special Event Liquor License for the Chandler Compadres for the Rock the Cause of Kids 2014 Fundraiser, November 15, 2014, to be held at Ten Chandler, 560 N. 54th Street. Recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

58. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Chandler New Year's Eve Party, December 31, 2014, to be held at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. Recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

59. FINAL PLAT: Replat of a Portion of Layton Lakes Parcel 24

APPROVED Final Plat FPT14-0012 Replat of a Portion of Layton Lakes Parcel 24, located at the SEC of Gilbert and Queen Creek roads. (Applicant: Kent Groh, Bowman Consulting.)

BACKGROUND

This Final Plat is a replat of a portion of Parcel 24 of the Layton Lakes Master Plan most recently amended in February 2014. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval.

60. PURCHASE: Creative Communications

APPROVED the purchase of 59 General Electric (GE) two-way radios from Creative Communications, utilizing State of Arizona Contract No. ADSPO13-036883, in an amount not to exceed $117,662.29.

In order to remotely control the City's water distribution, wastewater collections and reclaimed water turnouts, water and wastewater systems utilize a supervisory control and data acquisition (SCADA) radio system to communicate with remote sites throughout the City. The current radio system has become obsolete by the manufacturer GE MDS, LLC, and will no longer be serviced. To continue to maintain dependable and serviceable communication for daily operations, migration to the newest version of licensed radios produced by GE MDS, LLC, is necessary. This change to the new technology will improve communication speed and reliability with the 59 water and wastewater sites throughout the City.

61. CONTRACT: Sundt-McCarthy Construction, Inc.

APPROVED Contract No. WW1301.251 with Sundt-McCarthy Construction, Inc., for the Ocotillo Water Reclamation Facility (OWRF) expansion and related facilities, in an amount not to exceed $1,080,756.00.

This contract is for pre-construction services for a new treatment system and supporting areas to expand the OWRF. The new treatment system and supporting areas will be located immediately to the north and west of the existing OWRF located at 3333 S. Old Price Road. Currently, the OWRF has a ten million gallon per day (MGD) capacity. This initial phase of construction will add five MGD treatment capacity. The future phases will accommodate build-out capacity.

62. EMPLOYMENT CONTRACT: City Clerk

APPROVED an employment contract with Marla Paddock as City Clerk for a base salary of $121,938 for FY2014-15.

ACTION

5. ZONING EXTENSION/PRELIMINARY DEVELOPMENT PLAN: Pacific Oil Partners
Ord. #4576

BACKGROUND
The subject site is an undeveloped property located at the southeast corner of Alma School and Pecos roads. The parcel is approximately 2.5 acres and was previously zoned as part of a larger planned commercial development. The parcel is surrounded by vacant land to the east and south zoned for commercial use. Further east is an existing apartment development. The northeast and northwest corners of the Alma School and Pecos roads intersection are developing with multi-family residential, Aerie West and Aerie East. Single-family residential subdivisions exist next to the Aerie projects. The southwest corner of the intersection is vacant land zoned for commercial use and an apartment development to the west.

ZONING REVERSION

The property was previously zoned Planned Area Development (PAD) for community commercial (C-2) uses including a gas station with convenience store and a car wash. The rezoning included a Preliminary Development Plan (PDP) for a retail shopping center along with the gas station site on approximately 14 acres. The property abuts a 12-acre undeveloped parcel. This 12-acre parcel used to be a part of the 14-acre retail shopping center plan. Over the years, the 12-acre parcel has been approved different PDPs for a mix of office and retail development.

Recently, the 12-acre parcel was zoned back to its original PAD zoning in case PL97-199 (Ord. 2811) on 10 acres and a new PAD (C-2)) zoning on 2 acres. This reestablished community commercial (C-2) uses and the former PDP case, PDP08-0005, for a mix of office and retail

The request is to revert the 2.5-acre property's zoning from PAD (Commercial) in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199). This aligns with the recent zoning reversion on the surrounding 12-acre parcel. The reverted zoning establishes community commercial (C-2) uses including a gas station, convenience store and car wash uses on approximately 2.5 acres.

PRELIMINARY DEVELOPMENT PLAN

The request includes Preliminary Development Plan (PDP) for site layout and building design. The proposed development includes a 4,950 sq. ft. convenience store, 3,563 sq. ft. car wash and 8 fuel dispensers under a 5,808 sq. ft. canopy. There is covered parking for employees and customers as well as a covered vacuum area. The site layout is designed to coordinate with the adjacent property's PDP by providing shared access and similar landscaping. Building architecture reflects the materials and forms of the adjacent PDP's office and retail buildings.

The development requests waivers to a few zoning codes in order to accommodate site standards and allow the corner pad to develop prior to the larger commercial development. The Zoning Code requires any pad building less than 25,000 sq. ft. in size, within a site less than 10 acres, to develop along with at least 12,000 sq. ft. of additional building area. The development requests to waive this requirement.

The property is located at the intersection of two arterial streets requiring a 50-foot by 250-foot landscape intersection setback. The development requests to waive this requirement allowing a 35-foot by 250-foot landscape intersection setback to provide adequate on-site circulation. The development is providing a greater landscape setback along Alma School Road and additional landscaping within the property. Lastly, the development requests a waiver from applying the minimum six additional quality standards required for shopping centers, office complexes and commercial centers given the site's small size.

The proposal includes freestanding monument signage and building mounted signage. There are two freestanding signs, one on each street frontage. Building mounted signage is provided on all three buildings/structures.

The Planning Commission and Planning Staff support the request to revert the property's PAD (Commercial) zoning in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199). The reverted zoning establishes community commercial uses including a gas station, convenience store and car wash. The building architecture is creative and atypical which is compatible with the approved architecture on the surrounding parcel. The request for

Zoning Code waivers is appropriate given the sites small size and unknown development timing surrounding the parcel.

PUBLIC/NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the City of Chandler Zoning Code with a neighborhood meeting being held on August 25, 2014. There were no neighbors in attendance. Planning Staff is aware of opposition/concerns from two area gas station owners who provided correspondence to Staff.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Baron absent.

Two business owners spoke at the meeting with concerns about another gas station and convenience store occurring in the area and requested the site design occur in the same manner as their sites. The speakers represented Cobblestone gas station and car wash at the southeast corner of Alma School and Germann roads and Chevron at the northwest corner of Alma School and Germann roads. Both business owners emailed Planning Staff their concerns.

RECOMMENDED ACTIONS

Zoning Reversion
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

Preliminary Development Plan
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Compliance with original conditions adopted by the City Council as Ordinance No. 2822 in case PL97-199, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "DVR14-0003 Pacific Oil Partners", kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0003, except as modified by condition herein.
3. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Planning Administrator for arterial street median landscaping.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. Landscaping shall be in compliance with current Commercial Design Standards.
6. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
7. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
8. The canvas shade structures shall be maintained in a manner similar to that at the time of installation.
9. The site shall be maintained in a clean and orderly manner.

COUNCIL DISCUSSION:
VICE MAYOR HEUMANN stated he had concerns with the design and land use requested with this development. With no real development plan in place, and the request to have the gas station take the "corner" future development may be inhibited because of visibility. He expressed concern over the industrial architectural style of the building and it seems the building standards are more lenient.

SR. PLANNER JODIE NOVAK stated there has been a conceptual plan for many years. The Planning Department does not have any issues with the planning/land use of the current layout of the building and pump stations. The property will be sharing ingress and egress with the land adjacent to it. With regards to the architecture, the materials, the geometric lines the parapet elements are similar to what is across the street. It may be the color pallet that is giving the development the industrial feel. The architecture has been approved based on what has already been approved for the other two buildings to be built on the land adjacent to it.

COUNCILMEMBER WENINGER asked if there was a stipulation on the amount of pumps the Chevron could have when they built. Ms. Novak stated there were no stipulations to the number of gas pumps. The applicant originally filed to have 8 pumps and through the Planning Commission and the Design Review Committee. It had to be redesigned to fit the smaller pad within the shopping center, therefore the direction from Committee was to reduce the number of pumps to 6 in order to fit within the design layout. Councilmember Weninger asked if the thought process was to have less pumps for all stations or just that one. Ms. Novak said it was compatibility. The number of pumps was not an issue, it was how the design would fit the site in order to accommodate traffic flow and connectivity with the rest of the center. There was no way this site could accommodate 8 pumps and extend the canopy. Ms. Novak stated that in the late 1990's and early 2000's the city was seeing a decrease in the parcel size for gas stations, therefore the size of the site actually dictated the number of pumps.

Councilmember Weninger inquired why the Chevron site seems a bit backwards compared to most. He inquired as to why the gas station does not face either Alma School or Germann, why does it face inward. Ms. Novak stated at the time, the philosophy that was directed to Staff was to not have gas pump canopies face a major intersection. Based on existing structures, the canopies were not as high quality design at that time based on existing structures. So the placement of the building would be at the corner or parallel to the street and internalize the canopies. Over the years, that philosophy has changed of staff.

MR. TUCK BETTIN, 3739 E. Bell Rd. Phoenix (work location), stated he was involved with the development of the Cobblestone Auto Spa located at Alma School and Germann. The planning and design of this development took over 3 1/2 years before it opened in 2003. This development even received an architectural award from the City of Chandler. He stated the number of gas pumps were a major issue. Originally the site was designed for 8 pumps and after many conversations with City Staff they had to reduce the number to 6. It was a City imposed expectation for sites then. The Chevron station across the street, built before Cobblestone, was originally designed for 8 stations and they too had to reduce the number to 6. He stated the Quicktrip, which is about 1 mile east of Cobblestone and recently built, has 10 gas pumps which correlates to 20 fueling positions and 65% more capacity than the Cobblestone or the Chevron across the street. The impact of this capacity has affected Cobblestone's business greatly. Cobblestone is a local company, that prides itself on buying local and spending local, and he is requesting the Council reconsider the 8 gas pumps currently being proposed for this application. He stated they would appreciate and expect a level of fairness and consistency with where they

are expected to develop and how they are to develop sites. Without this fairness, it puts local businesses at a significant disadvantage.

J.D. SARAN, 2472 W. Spruce Dr. Chandler, stated he is the owner of the Chevron at Germann and Alma School since 2004. He said they also applied for 8 pumps but was approved for 6. He stated they lost a lot of business when the QuickTrip opened up. While not afraid of competition, he is upset that another Chevron is being proposed in just .9 miles from his store and is also on the same side for flow of traffic. The industry standard is that the same business, whether it be Chevron, Arco, Shell, etc. does not build within a 2 mile radius of itself. He is requesting the same standards he was required to build under be the same for this proposed site, that this facility be limited to 6 pumps and the store be similar in size.

DAVID MILLER, 20750 N. 87 St. Scottsdale, stated he is the applicant for this project. He has been a Chandler business person since 1995. He built the Arco Station, which is now Chevron located at SEC of Dobson and Ray Road. He has been working on this project with the City of Chandler for 3 years, trying to develop a model of the "newest," gas station/convenient store that the state has ever seen. He has complied with every request the City has asked for at a higher cost than other stations. Times have changed. In prior years stations were built on smaller lots, which meant smaller facilities and less pumps. Recently throughout the valley, new stations are being built on larger sites with more amenities to accommodate the increase of customers. They are usually built with 10 pumps, but he scaled this back to 8. He believes this is about competition, but he is competing with them, just as much as they are competing with him. The reason major oils will let stations be built a mile apart is because there is a major corridor between them. This "corridor" is usually a freeway. In existence today there are gas stations on opposite corners because they are on the opposite side of the freeway. Before he purchased this site he pulled the traffic count for the intersection of Alma School and Germann and Alma School and Pecos. The Alma School and Germann intersection has 55,900 cars and his corner has 47,000. This station will service the north side of the freeway. There are no gas stations for over 3 miles on the north side of the freeway. The Cobblestone convenience store is twice the size he is building, which is 4,950 sq. ft., and Cobblestone has two more pumps they did not mention in the back of their site, making a total of 8 pumps.

He believes he represents a different market, has a different traffic pattern, he is in a much needed location, the site has been planned for a gas station for 12-13 years, and has pulled out all the stops to accommodate the City's requests.

COUNCILMEMBER WENINGER asked Mr. Miller how many pumps were at the Dobson and Ray location. Mr. Miller stated 8 pumps, which were approved in 1995. Mr. Miller stated he has not decided on which brand he will choose for this location, but he is a Chevron dealer, so he is leaning towards the Chevron brand.

VICE MAYOR HEUMANN asked Ms. Novak if the City has looked at the land use in the area to the number of gas stations and the possibility of adaptive reuse if the area is saturated with gas stations. Ms. Novak stated they have not done a study on how many gas stations are within the city, or how many are located on corners. She was reviewing how many stations have been approved but not yet been constructed that share the same intersection. There are only about 6 or 7 stations proposed that will be on opposite corners of each other in the city. She summarized the location of stations within this corridor and stated there are not that many and some of them are several miles between each other.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER DONOVAN, TO INTRODUCED AND TENTATIVELY APPROVE ORDINANCE NO. 4576, DVR14-0003 PACIFIC OIL PARTNERS, ON THE EXISTING PLANNED AREA DEVELOPMENT (PAD) ZONING TO REVERT FROM PAD (COMMERCIAL) ZONING IN ORDINANCE NO. 3260 (DVR00-0005) TO PAD (COMMERCIAL) IN ORDINANCE NO. 2822 (PL97-199) AND TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN (PDP) DVR14-0003 PACIFIC OIL PARTNERS FOR SITE DESIGN AND BUILDING ARCHITECTURE LOCATED AT THE SEC OF ALMA SCHOOL AND PECOS ROADS AS RECOMMENDED BY THE PLANNING COMMISSION AND CITY STAFF.

COUNCILMEMBER WENINGER asked Staff to review the signage for the other two businesses if the owners wish, and see if there are other options to make them more competitive. Ms. Novak stated Staff has upgraded Cobblestone's signage over the years. The City has upgraded the sign code, and Staff is available if the business owners wish to evaluate their signage and see if there are any other elements that could aid visibility to their business.

THE MOTION CARRIED (5-2) WITH VICE MAYOR HEUMANN AND COUNCILMEMBER WENINGER VOTING NAY.

62. USE PERMIT: Hudson Baylor dba Recommunity Chandler

Use Permit ZUP13-0025 Hudson Baylor dba ReCommunity Chandler, extension for the continued operation of a recycling facility located within a General Industrial (I-2) zoning district and the continued use of ingress and egress off of Hamilton Street located at 1100 N Hamilton Street, north and west of the NWC of Ray Road and Hamilton Street. (Applicant: Will Herzog; Hudson Baylor dba ReCommunity.)

BACKGROUND

The subject site is located north and west of the northwest corner of Ray Road and Hamilton Street. Surrounding the site on all four sides are industrial uses. Directly north of the site is a steel welding facility. Directly east is a lot zoned for I-2 uses, and is relatively vacant. South of the site is another recycling facility. Directly west is the Union Pacific Railroad.

Recycling activities have taken place on the subject property since 1995 and on the adjacent property to the south since 1989. Recycling activities for both sites are deemed vested as well as the means of ingress off of Hamilton Street. Up until 2009, the subject site had been part of the recycling operations to the south. In 1999 and 2001, Use Permits were granted to allow ingress to the recycling facilities off of Hamilton Street. The 2001 approval removed any timing condition for the means of access. With the end of the lease agreement for the subject site in 2009, the facility to the south modified their access points utilizing Ray Road for ingress and egress, eliminating the need for access off of Hamilton Street. Due to the change in operators for the lease agreement, the subject site was prohibited from using any means of access on Ray Road, which led to the Use Permit request in 2009 for both ingress and egress off of Hamilton Street. The Use Permit was granted with a one-year timing condition and subsequently approved in 2010 for an additional three years. The Use Permits were required due to the point of egress crossing a separate parcel that does not include the subject site. The current request seeks to extend the Use Permit for an additional three (3) years allowing for egress on to Hamilton Street. Due to concerns regarding vehicular movements from the site, Planning Staff is recommending an extension for one (1) year.

At the time of approval in 2009, the request included an expansion area and drop-off building located north of the existing building. The approved structure consisted of pre-fabricated 10' tall by 7'-6" wide concrete walls on the approximate 82' x 68' pad. An additional 10' of mesh netting will extend above the walls for an overall structure height of 20'. The structure has yet to be built due to the lower number of trips generated than was initially anticipated; however, the request for the additional structure remains.

There is no storage of materials or the operation of vehicles overnight; however, a spare trailer is kept on site to allow for loading of materials until a delivery truck arrives at the site the following morning. Public drop-off of recyclables does not take place on this site.

Based on concerns received from the surrounding neighborhood about trash, Planning Staff has visited the site on a number of occasions, unannounced, and has found that the site has been maintained and kept in clean order; no violations have been issued for the site. While visiting the site, Planning Staff noticed recyclables in the area and that there were two facilities within close proximity of the subject site (one directly south of the site and the other at the immediate northwest corner of Ray Road and Hamilton Street) with exposed recyclables. Since the writing of the initial Council memo, the recycling operations located at the northwest corner of Hamilton Street and Ray Road has closed. Planning Staff is working with the City inspection team to remedy any outstanding issues.

Additionally, concerns have been expressed regarding the amount of truck traffic generated. Based on the concerns that Planning Staff heard regarding traffic movements, Planning Staff worked with the Traffic Division to have an in-house traffic study conducted over a two-day time period. The results were then compared with a study that was conducted in 2010. Overall, there was an increase in traffic; however, the increase was consistent with what was anticipated with the prior Use Permit approval. Results of the study concluded that truck traffic on Hamilton Street heading south of Knox Road constitutes four percent of overall traffic on Hamilton Street and truck traffic heading north on Hamilton Street, north of Ray Road, provides nine percent of the traffic. In short, the results show that truck traffic largely heads north on Hamilton Street to the facility and then heads south on Hamilton Street from the facility, with some occasional trucks heading north on Hamilton Street (equating to four trucks). Movements are consistent with the requirement that truck traffic exit the facility heading south onto Hamilton Street.

As mentioned above, concerns were expressed by neighbors regarding truck movements and established uses for the site. Staff from the City's Traffic Division have reviewed the access point into the site and have provided an exhibit showing modifications to the mouth of the driveway. The design provides a modified curb return on the south portion of the access drive which widens the mouth of the driveway allowing trucks to start south bound movements with the truck angled towards south Hamilton Street. In addition to the widening of the driveway mouth, a curved median is proposed that would further force trucks into a south bound angle. With the incorporation of the median, the modification reduces the wide swing-out of the truck as provided on the exhibit. This design allows for the truck to remain either completely in the south bound lane or within the center lane. With the existing drive configuration, trucks heading south bound have the potential to swing far out into Hamilton Street with some occasion of heading south in the north bound lane of Hamilton Street. Planning Staff is also recommending that the "right-turn only" sign that is currently located on the drive's south side be relocated to the median.

Concerns were also expressed regarding the nature of the business and whether or not the use is deemed a transfer station or a recycling facility. Per the recycling category of the *Table of*

Permitted Uses, the table does not distinguish between a collection, transfer or processing facility, but rather all elements of the recycling process are included. Two categories are provided for recycling facilities. Provisions are provided for small-scale operations where a resident could drop-off recyclables for cash payment; these types of facilities are allowed by right in both I-1 and I-2 zoning districts. The second category covers large operations that would include the subject site and adjacent recycling facility; these types of facilities require a Use Permit in I-2 zoned districts. While a distinction between a transfer station and a recycling facility has been made, the use designation allows for both operations. It is more important to note that general collection and transfer activities have occurred on the subject site, largely in the same manner as currently exists, since 1999. The users have changed, but the use has largely remained the same and is consistent with the current use categories.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on March 10, 2014. There were nine neighbors in attendance who strongly expressed their concerns with the increase in trash, traffic and pests. Two letters expressing opposition were also received.

Planning Staff has heard from a number of residents concerned with the request citing that because of the recycling facility, trash in the surrounding neighborhoods has increased and traffic issues on Hamilton Street have become more difficult to deal with. Concerns have primarily been conveyed via petition with a neighborhood representative being in routine contact with Planning Staff. Following the Planning Commission hearing, Planning Staff has heard from two additional neighbors in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

Two neighbors spoke in opposition at the hearing with one of the speakers being a resident looking for a home in the neighborhood. Concerns expressed dealt with the size of trucks on Hamilton Street and potential traffic safety, the early hours of operation and diminished property values. Following the Planning Commission hearing, Planning Staff spoke with the applicant and the Traffic Division to address the wide turns out of the site and it was determined that the applicant, in working with the property owner, could widen the mouth of the driveway which would give exiting trucks a more direct ability to angle south, reducing the width of the turn-out from the site.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and I-2 zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The site shall be maintained in a clean and orderly manner.
2. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.
3. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
4. The applicant shall work with Staff to make driveway modifications to ensure vehicular movements are safe.
5. The right-turn only sign that is located on the south side of the drive shall be relocated to the median.

6. Recyclable drop-off operations shall not occur on-site until after 5:30 a.m.
7. The driveway modifications shall be completed within 120 days from Council approval.

COUNCIL DISCUSSION:

SR. PLANNER ERIK SWANSON stated this item was continued from the September 11, 2014, Council meeting to allow the applicant and Staff time to review traffic measures that potentially resolve truck movements from the site. Additionally, at the meeting neighbors expressed concerns about the Use Permit request with specific concerns regarding the operation and established use for the subject site, at which time Council requested a timeline of recycling activities for the area. Planning Staff has added exhibits that address the truck movements and has provided a history/timeline of recycling activities for the site and surrounding area.

At the September 11th meeting neighboring residents did voice their concerns of the hours of operation, truck traffic, maintenance of the street, and the breakdown of the roadway, and whether the use of the site was being represented accurately.

Mr. Swanson requested to only address those issues that are different from the previous hearing, address any changes from the last meeting and then any site specific details if requested.

The following items were reviewed since the last meeting:

- He worked with the traffic division to devise solutions of truck movement out of the facility. The third exhibit within the Staff Memo displays a modified curb return to open up the entrance/exit and the addition of a small raised median to direct traffic south rather than north.
- Relocation of the right turn only sign, that is currently on the south side of the drive, into the median area, making the sign more prominent and directly in front of the drivers when exiting.

- Staff is requesting completion of these changes be done within 100 days assuming Council approval of the stipulations. This allows sufficient time for plans to be drawn, reviewed by City Staff, and ultimate construction.

- Regarding the improvements of Hamilton Street – Transportation and Planning Director RJ Zeder indicated that improvements were originally planned for mid to late 2016, but have been moved up approximately 1 year and are included in the repaving program to the fall of 2015.

- Timeline for the recycling activities on the site & how the Use is classified – There are two classifications for recycling facilities. The first is for recycling collection and transfer only facility. This is for small mom and pop places where you drop off your cans. The second classification is recycling, collection, transfer, and processing facility. This applies to the subject site and user to the south. The City does not separate what is collection oriented, transfer oriented, or what is facility oriented. The subject site was approved in 1995. The application was submitted similar to what is currently going on at the site. As the users changed over time, activities on the site have remained the same.

VICE MAYOR HEUMANN inquired whether the parcel was for sale, or had it been sold, and whether the use permit will transfer over to the new owner. Mr. Swanson stated the parcel that Hudson Bay (Re-community Chandler) is on, is in the process of being sold and the Use Permit would transfer if the use remained the same.

There is the potential the new owners could terminate the lease with Hudson Baylor and expand the steel facility to the south and east, provided it meets the existing zoning setback and use requirements. It could not expand the recycling facility.

Vice Mayor Heumann inquired when the Use Permit was approved in 1995 was this for the City's own use. Mr. Swanson stated in 1995 when the permit was issued, it was initially for the City's recycling.

GARY LIEDER 1072 North Bogle Avenue, Chandler, stated his opposition to the extension of the Use Permit for Hudson Baylor and the recycling facility because of all the issues the neighborhood has suffered with and made known to the City. He stated the following conditions should be part of the stipulations of the permit if approved.

- Mandatory trucks less than 53 feet in length
- Add a deceleration lane and slower speed limits on Hamilton Road
- Hours of Operation from 7 am to 5 pm
- Enclose the east end of the building with doors for noise abatement
- Maintain landscape and install signs for noise and other complaints
- Widen turn radius on Ray and Hamilton Roads to decrease damage to sidewalks and curbs
- Be responsible to keep litter and debris picked on both sides of Hamilton Road from entrance down to Ray Road.
- Limit the extension of Use Permit for one year, not three to ensure compliance with stipulations
- Limits be placed on traffic capacity
- Repair street damage along Hamilton Road

He asked Council to vote no on extending the Use Permit for continued operation of the recycling plant.

In response to COUNCILMEMBER SELLERS question, Mr. Swanson confirmed that the use on the site is a vested use and the use permit is for continued use of ingress and egress off Hamilton Street.

The Mayor asked the City Attorney the options Council could consider for this item.

City Attorney Kay Bigelow stated the Use Permit is not about the land use, and Council cannot control land use through the Use Permit. The Use Permit is strictly for the ingress and egress of the site. Ms. Bigelow confirmed with Sr. Planner Erik Swanson that the applicant has accepted the stipulations he has recommended. Ms. Bigelow stated this is a very unusual situation.

Mayor Tibshraeny asked Mr. Swanson to address the speaker's recommendations. Mr. Swanson stated the Use Permit has been amended to a one year extension from the three year. With regards to installation of signs with phone numbers for people to call with complaints, he will contact the applicant/ new property owner to see what can be worked out. With regards to some

of the other stipulations Mr. Lieder's spoke of such as decel lane and street speed, he cannot address, but believes the safety issues will be resolved.

VICE MAYOR HEUMANN asked Mr. Swanson to address the hours of operation and if the City had any regulated hours for this type of business. Mr. Swanson stated one of the added stipulations regulates operating hours. It stipulates that recyclable drop-off operations shall not occur on-site until after 5:30 a.m. However he was informed that workers are on site earlier than 5:30 a.m. to open up and prepare for the work day. However trucks will not be allowed any earlier than 5:30 a.m.

COUNCILMEMBER WENINGER requested that Mr. Swanson address the issue of litter and debris along Hamilton and Ray roads with the applicant and that they keep the area clean of debris. Mr. Swanson stated he would work with the applicant on addressing that.

WILL HERZOG, APPLICANT stated he is the Regional Business Development Manager for Recommunity. They only deal with recycling, and not in waste management. The building where the recyclables are held has walls to control the debris as best as possible. They have had guidelines related to truck counts throughout their occupancy of the facility, and they have turned away trucks because they are limited to the number of trucks allowed at the site. Their operating hours say from 4:00 a.m. to 6:00 p.m., but that is to have workers open up to do any clean up or maintenance before trucks start to roll in, which is usually around 5:30-6:00 a.m. When employees arrive, usually there are other employees from the other businesses already there.

In response to questions from Councilmembers Weninger and Hartke, Mr. Herzog said they do their best to be a good neighbor especially since they are so close to a residential area. With regards to keeping both sides of the streets clean, he expressed concern over the safety of his employees since the streets are very busy and on a major arterial. As to the matter of having a phone number and point of contact for the neighbors, he stated he has handed out his business cards to several individuals, but they have not put up signage because they are not soliciting for more business. If signage becomes a requirement they would be willing to work with Staff to figure something out.

MOVED BY COUNCILMEMBER SELLERS SECONDED BY COUNCILMEMBER ELLEN TO APPROVE THE EXTENSION FOR THE CONTINUED OPERATION OF THE RECYCLING FACILITY AND THE CONTINUED USE OF INGRESS AND EGRESS OFF OF HAMILTON STREET.

VICE MAYOR HEUMANN inquired about any additional stipulations to the Staff report. Mr. Swanson clarified stipulations 1-6 in the staff report are included, with the addition of number 7 addressing the timing of modifications that are to be made. Potentially there are two more conditions. Condition 8 would deal with the trash pickup on both sides of Hamilton and Ray roads, with a concern. The east side of Hamilton is maintained by the HOA, so from a business standpoint, Mr. Swanson was not sure if the business would have authority to maintain the area.

MAYOR TIBSHRAENY stated the motion was for conditions 1-7. Councilmember Sellers stated his motion was to include Staff stipulations 1-7 with the understanding that the applicant will work on keeping Hamilton Street clean.

MOTION PASSED UNANIMOUSLY (7-0).

PUBLIC HEARINGS

PH1. **ANNEXATION** of approximately 18.75 acres located SW of Queen Creek Road and the Union Pacific Railroad

MAYOR TIBSHRAENY OPENED THE PUBLIC HEARING AT 8:29 P.M.

The subject site is an undeveloped parcel that is zoned RU-43 within the County. The site is currently used for agricultural purposes and is bordered by an unincorporated rural residential property to the west, Queen Creek Road to the north, the Union Pacific Railroad to the east, and undeveloped property owned by First Baptist Church to the south.

The Chandler Land Use Element of the General Plan designates the site as Employment and refers to the Chandler Airpark Area Plan (CAAP) for more specific land uses. The CAAP designates the subject site as Commercial/Office/Business Park with a Light Rail Corridor Overlay. An area plan amendment application, rezoning and preliminary development plan application has been submitted for a small lot single family development on the subject site. These applications will be coming before the Planning Commission and City Council for review following the annexation request.

MR. DAVID DE LA TORRE, Principal Planner, stated the parcel is approximately 18.75 acres, zoned R-43, currently used for agricultural purposes and there are no existing structures on the site. The property is located within the Chandler Airpark area plan which designates future land use of this acreage for Commercial Office Business Park with the light rail corridor overlay. Staff has received a development proposal which is currently being reviewed and will be forthcoming to the City Council. Utilities are available on Queen Creek Road to serve future development of the property.

COUNCILMEMBER WENINGER inquired if the development proposal is compliant with the land use and overlay. Mr. De la Torre stated not at this time, it will require an area plan amendment, a rezoning, and preliminary development plan. They are currently reviewing those three applications.

VICE MAYOR HEUMANN asked if the applicant is proposing single family housing; Mr. Swanson stated they are seeking single family housing with a low to medium density subdivision.

There was no discussion from the audience.

MAYOR TIBSHRAENY CLOSED THE PUBLIC HEARING AT 8:32 P.M.

PH2. **ANNEXATION** of approximately 10 acres located north of the NWC of McQueen Road and Hunt Highway

MAYOR TIBSHRAENY OPENED THE PUBLIC HEARING AT 8:32 P.M.

The subject site is a 10-acre parcel that has one single family home and a couple of non-residential structures. The parcel abuts the south end of Fieldstone Estates subdivision on the west side of McQueen Road. South of the subject parcel is an unincorporated rural residential

area consisting of twenty homes located on lots that range in size from approximately 1-2.5 acres.

The Chandler Land Use Element of the General Plan designates the site as residential and refers to the Southeast Chandler Area Plan (SECAP) for more specific land uses. The SECAP designates the subject site as Traditional Suburban Character. A rezoning and preliminary development plan application has been submitted for the subject parcel to construct a low density residential subdivision which will be forthcoming following approval of the requested annexation.

MR. DAVID DE LA TORRE, Principal Planner, stated the annexation request is for a 10-acre parcel that is zoned R-43 in County with one single family dwelling on the property with 3 non-residential structures. Utilities are available from McQueen Road to service this area.

VICE MAYOR HEUMANN inquired about the land immediately south of the parcel, as to whether all of the land is all county owned down the Hunt Highway or is any of it part of Chandler. Mr. De la Torre stated all the land south of the parcel resides within the County.

CLAUDIA WHITEHEAD, 26446 S. McQueen Road Chandler, stated while she understands why her neighbor is selling, she is opposed to the proposed high density residential with the proposed 26 homes. The number would greatly increase the residential structures along Sunnydale Road. She stated there are only 7 homes along the road right now. The proposal is not compatible with the equestrian oriented neighborhoods of the area and feels the city would lose diversity of the housing product. She stated she would not describe this as an "infill" piece as described in the neighborhood meeting notice.

VICE MAYOR HEUMANN reiterated the item on the agenda is for annexation of the land, not any proposed development. If a development proposal is submitted, it would come to the city for public hearings and any necessary rezoning requirements.

JAMES JANDREAU, 11821 E Sunnydale Dr., stated he is opposed to the proposed development of the land. The open space, semi-rural area, undeveloped or limited development of the area is why he bought out there.

CHRIS AND ANNETTE MAJOUE, 26603 S. 118th Pl., Chandler. Ms. Majoue stated that within several hundred yards of this land, there are horses, goats, chickens, cattle, sheep, and ducks. They are on rural property, which comes with noise, smells, and flies. They accept that when they buy rural, individuals that buy in residential developments tend not to accept those facts. On the other hand, the current residents don't want the noise pollution, and light pollution that such a development would bring to their neighborhood.
Mr. Majoue said the issue is not the property begin sold, it is with the proposed high density development proposal. They currently have CCR's for their 1-acre sites, and if the site is subdivided he would like to see no less than 1 acre sites, and it be kept rural.

ED BULL, 702 E. Osborn, Phoenix, representing the applicant. Mr. Bull stated that before the landowner started down any path, he met with City Staff and County Staff and decided it made the most sense to annex the land into the City of Chandler. The decision was partially based on the difference in development standards between the City and the County, and felt it would benefit those neighbors in the surrounding area to have structures built under City regulations, not County. They have been very open about the annexation and have been actively meeting with the surrounding community. He stated the northern 20 feet of this property is already annexed into the City of Chandler. This was part of the Fieldstone development that required it

be landscaped by the Fieldstone developer and maintained by the Fieldstone HOA until such time the property in question was subdivided and developed.

What is being proposed is a large 26-lot development within a gated neighborhood. They are consistent with the City's General Plan, and the Southeast Chandler Area Plan, and under Chandler's diversity guidelines the development would fall under the large lot incentives.

MAYOR TIBSHRAENY CLOSED THE PUBLIC HEARING AT 8:52 P.M.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor announced the dedication of two new City parks, Valencia and Centennial.

He announced Saturday, November 1 was the Mayor's Day of Play at Tumbleweed Park. Saturday night is the G.A.I.N event, where several Chandler neighborhoods have events planned. He said the Mayor and Council plan on visiting as many G.A.I.N events as possible.

Saturday, November 1st marks the Annual Veterans Health Care and Benefits Expo at the Center for the Arts. He thanked the Arizona Department of Veterans Services, the Phoenix VA Health Care System, and the Veterans Benefit Administration. He thanked Melanie Sala, Executive Management Assistant with the City of Chandler who works so hard on putting on the event.

B. Councilmembers' Announcements

COUNCILMEMBER WENINGER recognized the Chandler Fire Department on their firefighting efforts when the Chop Steak House caught fire. The owners of Chop Steak House were extremely happy with the way Chandler Fire Department responded and handled the fire. They were only closed for a few days, when they could have been closed for several months.

COUNCILMEMEBER SELLERS announced the Taste of Chandler is Saturday night at downtown Ocotillo. He also attended the ribbon cutting of the $225,000,000 improvement to the Mariposa Port in Nogales. He stated this is a significant Port for Arizona, 60% of the rural produce from Mexico crosses the Port.

VICE MAYOR HEUMANN reminded everyone to be safe next week on Halloween. He reminded everyone to either vote at the City Clerk's office during Early Voting, or on Election Day.

COUNCILMEMBER HARTKE announced on Saturday, November 1 there is the "For Our City Day" from 6:00 A.M. to 11:00 A.M. working on the neighborhood near Galveston Elementary School to spruce up the area. He announced the November 7th – 9th Chuck Wagon Cook Off, and the "Rock the Block" event on Saturday the 9th from Noon to about 10 P.M.
He announced a new program the City is launching in conjunction with the help of the Not-For-

Profits in the area, where they recycled a Haz-Mat truck into a mobile shower for the homeless.

COUNCILMEMBER ELLEN reminded everyone to vote on November 4th. She noted Councilmember Weninger was running for House of Representatives and asked for a vote forhim. She mentioned her son, Representative J.D. Mesnard, was running with Councilmember Weninger for LD 17, they have both served the City well, and encouraged a vote for them.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 9:02 P.M.

ATTEST: _____
City Clerk

_____
Mayor

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 23rd day of October 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 24 day of November 2014.

_____
City Clerk

MINUTES OF SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Monday, November 17, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 5:30 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance: Rich Dlugas, City Manager; Marsha Reed, Assistant City Manager; Nachie Marquez, Assistant City Manager; Kay Bigelow, City Attorney; Marla Paddock, City Clerk; RJ Zeder, Transp. & Dev. Director; Dan Cook, Transportation Manager; Matt Burdick, CAPA Director; Patrice Kraus, Intergovernmental Affairs Coord.; Jeff Kurtz, Planning Administrator; David Bigos, Mayor & City Council Asst; Ann Marie Riley, Transit Services Coordinator.

Councilmember elects: Terry Roe and Rene Lopez

1. Review of Transit Services Recommendations
   a. **High-Capacity Transit Studies**
   b. **Existing Transit Service & Needs**
   c. **Recommended 5-year Transit Enhancement Plan**

CITY MANAGER Rich Dlugas introduced Transit Services Coordinator Jason Crampton who would be presenting the information on Chandler's transit services.

Mr. Crampton announced that ridership has increase by approximately 20% over the last 5 years, while the level of service has remained constant.

In 2012, a study was completed to determine if light rail would be a feasible transportation option on Arizona Avenue. While the study indicated light rail would be a viable option, there would need to be a few updates to the transit network that feeds into Arizona Avenue. Improvements would need to be made around the transit landings, and this would consist of High Density Development/Redevelopment to create that urban lifestyle and create the ability for riders to walk to the landings.

He stated in the near future they will be starting the Fiesta Downtown Chandler Transit Corridor Study. This is a more in depth study that will look at light rail on Arizona Avenue as well as modeling bus rapid transit and various route alignments to connect up with light rail in the City of Mesa. The Study would include short, mid and long-term recommended improvements to aid in the development of the corridor over time.

At the end of the Study, Chandler and Mesa City Council's will select a preferred alignment and mode for the future high capacity transit.

After the preferred alignment is chosen, and Council decides to take the next step, an Environmental Study would need to be conducted. Chandler's share of the ES would be approximately $1 million. This would be paid for by the state shared lottery funds, previously known as LTAF, which Chandler has in savings and can only be used on transit projects. This study is required because of the Federal funds that would be applied for and used for the project. Looking at operational costs, Chandler's corridor length would be 4.5 – 6.0 miles with a cost of $940,000 per mile in FY 15-16. The annual operating cost estimate is $4.2 - $5.6 million, with a savings of approximately $600,000 by eliminating the "Link." The net operating cost estimate for the light rail/bus rapid transit would be $3.6 - $5.0 million.

In response to a question from Councilmember Weninger regarding cost offset by riders, Mr. Crampton stated the offset is already factored into the net operating cost and light rail usually sees a higher share of revenues – about 35% return, than bus at about 20-25%. In response to a comment from Councilmember Donovan, Mr. Crampton said the goal valleywide is to get a 25% fare recovery and typically the fare is raised as needed to achieve the 25%. On average, the fare is raised every third year. Mr. Crampton provided maps depicting ridership along the North/South corridor and the East/West corridors, along with estimates on future models of the various transit components. Mr. Crampton noted north Chandler is well served especially with routes in the north/south direction. In the east/west direction there is a major gap of service between Elliot and Chandler Boulevard. As talks progress about building up Arizona Avenue, there will need to be discussions on feeding riders into Arizona Avenue with the east/west connections. He said there have been talks about a Ray or Warner Road route.

In response to a question from Councilmember Sellers, Mr. Crampton said that Route 96 and Route 81 expansions are options.

Discussion was held regarding existing transit services and future enhancement needs. The discussion also included alternative route options, cost saving measures, increasing ridership, various stop locations, and servicing large employers such as Wells Fargo. Mr. Crampton stated all of the topics Council mentioned could be considered during the studies.

Mr. Crampton then addressed various proposals for enhancing the transit network over the next 5 years. The first step would be in 2016-17 would be to enhance Route 112 and Link on Arizona Avenue. In 2017-18, add a new route on Ray Road which would be approximately a 30 minute ride. There is a large gap between Chandler Blvd. and Elliot Rd., and if the service on Ray Rd. is implemented, it would narrow that gap.

He explained Arizona Avenue currently has 2 bus routes Link and 112. They each run at a 30 minute frequency. The proposal is to change the frequency to 24 minutes, giving a 12 minute interval between buses in the corridor and that is the same time frequency the light rail is running. The ongoing cost estimate is $440,000 per year. Three buses would need to be purchased with a cost estimate from Chandler's local match in the amount of $240,000 as a match to Federal funding, which will be applied for.

He said this would require partnership with the City of Mesa and Valley Metro Transit. The City of Mesa would like to add more connecting service to Light Rail. In response to questions from the Councilmembers, Mr. Crampton stated the cost estimates mentioned, assume that the City of Mesa will pay for the mileage in their city and run at the same frequency intervals. There has

been some discussions with the City of Mesa related to their expectations for improvements to the Arizona Avenue corridor, and they have indicated they would work with the recommendation from Valley Metro for a regional improvement to the route, but at this time, there is no clear sense at what level of service they are looking for.

He explained the next proposed improvement would be on Ray Rd., currently there is no service. They are proposing a weekday fixed bus route service on a 30 minute frequency, and later add weekend service at 30 minute frequency. Cost for this service would be $1 million per year, and this cost assumes Chandler will pay some of the mileage in Tempe, since it is a shared border. For this improvement there is a one-time cost for fleet and bus stops estimated at $1.2 million. The local match for 5 buses would be approximately $400,000 and $800,000 for the bus stops, using lottery funds.

Councilmember Donovan said the City has done a great job positioning to get ready and plan in the event funds are received.

Mr. Crampton then reviewed the timeline and financial obligations through the years up to 2020. He provided various possible future improvements:

- Along Chandler Blvd. - Offer peak hour service with 15-minute intervals –
  - Costs associated with this option - $340,000/ year ongoing service and $400,000 as a one-time fleet purchases.

- Price Rd. Bus Service – Extend Rt. 81 (McClintock) down Price Rd. to Intel
  - Costs associated with this option - $480,000/ year ongoing service and $1.2 million for one-time fleet purchases, bus stops, sidewalks, and traffic signals.

- McQueen Rd. – Extend Rd. 120 to Frye Rd. after Gilbert and Mesa extend the route to Chandler's northern border
  - Costs associated with this option - $210,000/ year ongoing service and $420,000 for one-time fleet purchases and bus stop improvements.

- Express Route 542 – Add one round-trip to and from downtown Phoenix
  - Cost associated with this option $75,000/year ongoing service.

- Evening Service – Extend evening service by 30 minutes on Routes 81 (McClintock) and 96 (Dobson) and by 2 hours on Route 136 (Gilbert)
  - Costs associated with this option $65,000/year ongoing services.

In response to a question from Vice Mayor, City Manager Dlugas said based on current revenues it appears there will be discretionary dollars, although there is some reservation as the legislative session will soon begin.

Adjournment: The meeting was adjourned at approximately 6:25 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: December 8, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 17th day of November 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 11 day of December, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, November 17, 2014 at 7:00 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: The Invocation was led by Pastor Mike Sproul, Tri City Baptist Church

PLEDGE OF ALLEGIANCE: Councilmember Weninger led the Pledge of Allegiance.

The Mayor asked for a moment of silence to honor Officer David Payne and Officer Bryant Holmes who both tragically lost their lives two weeks ago. He reminded everyone that fundraising events for their families could be found at www.chandlerpd.com.

CONSENT:

MOVED BY COUNCILMEMBER DONOVAN, SECONDED BY COUNCILMEMBER SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

VICE MAYOR HEUMANN STATED HIS NO VOTE ON ITEM 6.

MOTION CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTION NOTED.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Special Meeting of October 20, 2014.
1b. Regular Meeting of October 20, 2014.
1c. Study Session of October 20, 2014.
1d. Special Meeting of October 23, 2014.

2. ANNEXATION: SWC Ocotillo Road and the Union Pacific Railroad Ord. #4559

ADOPTED Ordinance No. 4559 Annexation of approximately 0.36 acres located on the SWC of Ocotillo Road and the Union Pacific Railroad.

3. IRRIGATION EASEMENT: Salt River Project Ord. #4563

ADOPTED Ordinance No. 4563 granting a no-cost irrigation easement to Salt River Project (SRP) on City property located along the north side of Queen Creek Road, west of Price Road.

4. REZONING: The Place on Alma School Ord. #4572

ADOPTED Ordinance No. 4572, DVR13-0049 The Place on Alma School, rezoning from Planned Area Development (PAD) for commercial and multi-family to PAD for condominiums.

5. REZONING: Willis and Arizona Avenue Corporate Park Ord. #4573

ADOPTED Ordinance No. 4573, DVR14-0018 Willis and Arizona Avenue Corporate Park, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for light industrial and commercial retail.

6. ZONING EXTENSION: Pacific Oil Partners Ord. #4576

VICE MAYOR HEUMANN VOTED NAY ON THIS ITEM.

ADOPTED (6-1 Heumann) Ordinance No. 4576, DVR14-0003 Pacific Oil Partners, action on the existing Planned Area Development (PAD) zoning to cause the property to REVERT from PAD (Commercial) zoning in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199). The reverted zoning establishes community commercial uses including a gas station, convenience store and car wash uses on approximately 2.5 acres.

7. REZONING: Chandler Pathways of Arizona Ord. #4577

ADOPTED Ordinance No. 4577, DVR14-0017 Chandler Pathways of Arizona, rezoning from Planned Area Development (PAD) for commercial retail uses to PAD for an assisted living memory care facility.

8. REZONING: Wildhorse Ord. #4578

ADOPTED Ordinance No. 4578, DVR14-0022 Wildhorse, rezoning from Agricultural to Planned Area Development for single-family residential.

9. REZONING: Metro Chandler Airport Center Ord. #4579

ADOPTED Ordinance No. 4579, DVR14-0021, Metro Chandler Airport Center, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Business Park Uses.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

The Mayor stated current event announcements would be given during Thursday's meeting.

Adjournment: The meeting was adjourned at approximately 7:07 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: December 8, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 17th day of November 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 11 day of December, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, November 20, 2014 at 7:00 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:04 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	*Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

* Councilmember Ellen participated by phone.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Terry Lamberth – Cornerstone Christina Fellowship.

PLEDGE OF ALLEGIANCE: Councilmember Hartke led the Pledge of Allegiance.

Mayor noted he had two requests to speak on agenda item #50: Use Permit for Makutu's Island

VIRGINIA THOMPSON, 6821 W. Megan St, Chandler. She expressed her opposition as there are many children in the plaza area because there is also a swim school just down from Makutu's Island. She felt there is a safety concern with so many children coming and going and by allowing the consumption of liquor to Makutu's Island only increases the risk of harming the children that frequent those places. There is a Circle K in the same complex with a license to sell alcohol for off-site consumption. She asked Council to consider voting no for this Use Permit.

MIKE WALKER, 6822 W. Shannon St, Chandler, stated his home borders the shopping center and he is the owner of Gold Medal Swim School in the plaza. He has been there for 9 years and has over 2,000 children coming and going throughout the week. He stated there are many children between his business and Makutu's; they are about 100 feet apart, and share the same parking. He expressed concern with the thought of issuing a liquor license to a business for children, and then have their parents drive them home after a few hours of playing.

KIRAN VENKATA VEDANTAM, 6919 W. Ray Road, Chandler, owner of Makutu's Island, stated he has 2 children of his own, ages 6 and 8. He understands the stresses and responsibility of parenting. Makutu's is an amusement park, open all day. Part of their monitoring procedures would be stamping the band for type and time of alcohol purchases. When the parents leave, they will be checking the wrist bands to make sure they have the correct number of and children, and to monitor when the last drink was purchases.
He stated he understood professional rivalry, but felt it was not right to bring that to this hearing when they are trying to bring fun to the families. There are 12 locations in the immediate area

that serve/sale alcohol. Serving alcohol at Makutu's would not increase the risk that already exists in the community. He listed other businesses that are children's play areas: Flipside, Chucky Cheese, Peter Piper Pizza, Main Event, Game Works and Phoenix Zoo all serve beer.

VICE MAYOR HEUMANN stated he had been out to Makutu's Island and visited with the applicant when they first opened up. It is a nice facility, but in the end, it is each person's responsibility to monitor their consumption.

CONSENT:

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COUNCILMEMBER HARTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

COUNCILMEMBERS ELLEN, DONOVAN AND HARTKE VOTED NO ON ITEM NUMBER 56.
COUNCILMEMBER WENINGER NOTED A CONFLICT OF INTEREST ON ITEMS 13 AND 24.

MOTION CARRIED UNANIMOUSLY (7-0), with the exceptions noted.

1. VACATION: Old Germann Road Right-of-Way Ord. #4565

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4565 authorizing the vacation of a portion of old Germann Road right-of-way, east of Stearman Drive.

BACKGROUND/DISCUSSION
Germann Road was re-aligned to the north from McQueen Road to Gilbert Road leaving an 80-foot strip of land as right-of-way that is no longer needed by the City. Crown Castle, which is in the process of developing the property located at the southeast corner of Germann Road and Stearman Drive, has requested the City vacate this 80-foot section of right-of-way that bisects their parcel. If the City were to vacate this strip of right-of-way, a small triangular parcel owned by Crown Castle, the 80-foot strip and the larger Crown Castle parcel will be assembled eliminating a maintenance issue for the City.

Crown Castle has agreed to pay the City $54,192.00 for the vacated strip of land which equates to $3.00 per square foot.

2. REAL PROPERTY EXCHANGE: Alta Steelyard Lofts Ord. #4566

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4566 declaring certain real property as no longer necessary for use as public roadway (a portion of Frye Road, west of Delaware Street, for the development of Alta Steelyard Lofts); authorizing the exchange of said real property to an abutting property owner for new public roadway; and authorizing the execution of all documents necessary to complete the roadway exchange.

BACKGROUND/DISCUSSION
Wood Partners is developing the Alta Steelyard Lofts located in the southwest corner of Frye Road and Delaware Street. The development will extend to the north property line of the parcel. In order to make the property line consistent and work for the development, a 7-foot wide strip, containing 1,333 square feet, is proposed to be exchanged for a 40-foot wide strip of Washington Street right-of-way. This action will create a straight north property line along Frye Road which will allow for a more aesthetic boundary for the development and for the widened sidewalk along the south side of Frye Road. In exchange for this 7-foot wide strip, Wood Partners proposes to

dedicate the 40-foot wide strip, containing 6,612 square feet of Washington Street, which lies at the west boundary of the development.

3. EASEMENT: Roosevelt Water Conservation District Ord. #4574

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4574 granting a no-cost easement for an irrigation facility to the Roosevelt Water Conservation District (RWCD) at Stearman Drive south of Germann Road.

BACKGROUND/DISCUSSION
As part of the Bellman Development, located at Stearman Drive south of Germann Road, RWCD has requested the property owner relocate an RWCD irrigation facility to the north property line of the development. In order to relocate this facility, RWCD will require a new easement to cross Stearman Drive. After the facility is constructed in the new location, RWCD will extinguish the existing easement located just south of the new one at Stearman Drive.

4. EASEMENT: Salt River Project Ord. #4575

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4575 granting a no-cost power distribution easement to Salt River Project on a portion of Valencia Park.

BACKGROUND/DISCUSSION
It is necessary to provide electrical power for improvements to Valencia Park. In order to do so, Salt River Project (SRP) requires a power distribution easement. The easement will be at no cost to SRP as the work is for City facilities and benefits the public.

Staff has reviewed and approved the legal descriptions for the requested easement.

5. EASEMENTS: Salt River Project Ord. #4581

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4581 granting two no-cost power distribution easements to Salt River Project (SRP) to provide electricity to Fire Station 281 and an emergency traffic signal on the south side of Pecos Road.

BACKGROUND/DISCUSSION
In order to provide electricity to new Fire Station 281 (City of Chandler Fire Station 1) and a traffic signal on Pecos Road, it is necessary to grant two power distribution easements to Salt River Project. One easement is for an emergency traffic signal and one easement is for the fire station. The easements will be at no cost to SRP as the work is for City facilities and benefits the public.

Staff has reviewed and approved the legal descriptions for the requested easements.

6. EASEMENT ASSIGNMENTS: Salt River Project Ord. #4582

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4582 authorizing the assignment to Salt River Project (SRP) of a ground easement and an aerial easement acquired by the City of Chandler for the Dobson Road and Chandler Boulevard Intersection Improvement Project; and authorizing the City Manager to execute the assignments;

BACKGROUND/DISCUSSION

In connection with a City road project for the widening and improvement of the Dobson Road and Chandler Boulevard intersection, the City acquired right-of-way and easements needed for the project that also included acquisition of ground and aerial easements ultimately intended for use by SRP. The easements that were conveyed to the City through a Final Order of Condemnation have been processed through the court system and are now ready to be assigned. The easements are needed to accommodate SRP's facilities that were previously relocated as a consequence of the project.

Upon recording the assignment, the City would have no further obligation, responsibility, liability or rights, pursuant to or because of the easements.

7. DECREASE IN SETBACK AREA: Ocotillo Water Reclamation Facility Ord. #4584

INTRODUCED AND TENTATIVE APPROVED Ordinance No. 4584 authorizing a decrease in the setback area established in Arizona Department of Environmental Quality (ADEQ) Rule R18-B201 (I) for the expansion of the City of Chandler Ocotillo Water Reclamation Facility located on Old Price Road, south of Queen Creek Road.

BACKGROUND/DISCUSSION
In November 2013, Staff began the design process to expand the Ocotillo Water Reclamation Facility treatment capacity from ten million gallons per day (MGD) to fifteen MGD. Construction will begin July 2015 and will be completed in December 2017. The City is in the process of applying to ADEQ for an Aquifer Protection Permit to allow expansion of the Ocotillo Water Reclamation Facility.

ADEQ regulations state that a standard 350-foot setback is required for a water reclamation facility such as the one that Chandler is constructing. The regulations, however, allow the setback to be reduced to any distance below the 350-foot regulation and still meet full noise, odor and aesthetic requirements for the expansion. Through a City ordinance, the permit setbacks will be established at 120 feet for the majority of the southernmost parcel and 150 feet from the remaining parcels.

The City owns the easement in the permit setback boundary. No disposal component, treatment equipment or any other noise, odor or aesthetics of the Ocotillo Water Reclamation Facility expansion shall encroach into the setback area. The City shall not operate the expanded Ocotillo Water Reclamation Facility so that it emits an offensive odor on a persistent basis beyond the setback distances as stated.

8. LEASE: Mac-Gray Services, LLC Ord. #4585

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4585 authorizing a five-year lease with Mac-Gray Services, LLC, for laundry equipment and use of 120-square feet of the building known as the Community Building, 127 N. Kingston Street for a laundry room and authorizing the Community and Neighborhood Services Director to execute the lease.

BACKGROUND
Washers and dryers, or washer/dryer hook-ups are not available in the 37 individual Kingston Arms Apartments. Instead, there is a small 120-square foot, coin operated laundry facility on the site located in the senior Community Building.

The Housing and Redevelopment Division has leased two coin-operated washers and dryers from Mac-Gray Services, LLC, since 1983. The current and proposed lease agreement stipulates that the Housing Division provide the space and utilities for the laundry equipment. Mac-Gray supplies and services the washer and dryer units. The revenue generated by the washers and dryers is split between Mac-Gray and the Housing Division. Forty-five percent of the revenue goes to Mac-Gray and the Housing Division receives fifty-five percent. The total monthly revenue generated by the laundry equipment is approximately $300.00.

DISCUSSION

For the new lease term, Mac-Gray has proposed to supply two new high-efficiency, front-load, coin-operated commercial Maytag washers and dryers. The terms and conditions of the new five-year lease remain unchanged. The Housing Division will continue to receive fifty-five percent of the revenue generated from the laundry equipment, less applicable fees and/or taxes The fee to do a load of laundry will remain unchanged. Use of the washers will cost $1.50 per load and dryers will cost $1.00 per load.

FINANCIAL IMPLICATIONS

The anticipated revenue from this lease agreement is estimated to be approximately $150.00 per month, before deducting the utility costs associated with operating the laundry equipment and room. While this lease generates revenue for the Housing Division, the principle benefit is to provide the senior residents with an option for convenient access to coin-operated laundry services.

9. RENEWAL AGREEMENT: Teleport Communications of America, LLC Ord. #4586

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4586 authorizing a renewal agreement with Teleport Communications of America, LLC, for use of City rights-of-way and public places to establish a Class 4 and 5 Communication System.

BACKGROUND

Teleport Communications of America, LLC (formerly operating as TCG Phoenix, a subsidiary of AT&T, Inc.) has applied with the City to install, operate and maintain a communication system that will provide both telecommunications and possibly non-telecommunications services. This agreement provides terms and fees for both service deliveries. The company holds similar agreements in other Valley cities to provide such services. This is a five-year renewable, nonexclusive agreement.

FINANCIAL IMPLICATIONS

The City has received a $3,000.00 application fee, which should cover the City's cost for processing this application, and 2.75% privilege tax will be paid on any non-interstate telecommunication services. As dictated by federal and state law, there will be no right-of-way use fee for the defined telecommunications portions of the System and its operation, but there is a fee structure established in Section 3.2 of the agreement for any services that are not exempted by federal or state law. The company will also pay permit inspection and pavement damage fees.

10. REZONING: Warner Business Center Office Condominiums Ord. #4587

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4587, DVR14-0030 Warner Business Center Office Condominiums, rezoning from Planned Area Development (PAD) for office/industrial/warehouse uses to PAD Amended to expand the list of permitted uses on approximately 7 acres located east of the NEC of Arizona Avenue and Warner Road and encompassing the entire Warner Business Center development. (Applicant: Paul Massey, PHM Ltd.)

BACKGROUND

The subject site is located at the northeast corner of Warner Road and Nevada Street, within the Warner Business Center. Directly north of the site is a City of Chandler water tank and industrial buildings. West, across Nevada Street, is the Biscayne Bay apartment complex. East is the Union Pacific Railroad with the single-family San Vicente residential subdivision east of the track; south is Warner Road. The site is approximately ½ mile east of Arizona Avenue and just west of the Union Pacific Railroad.

Warner Business Center, which is part of the Westech Cooperate Center, has been zoned PAD for employment uses since 1985. In 2005, the business center received PDP approval for an office/warehouse development with six multi-suite buildings arranged in three rows. In 2012, the permitted uses were expanded to add additional "light retail" uses that would increase the area for retail sales beyond the practice of 10% for showroom uses allowing for available parking to control maximum floor area dedicated to retail uses. As part of the 2012 request, modifications were also proposed to the parking lot layout eliminating the designated loading spaces and replacing with standard parking stalls on a needed basis. Recently, two Use Permits were approved by the Planning Commission allowing for motor vehicle sales, customization and accessory installations.

The request is for rezoning from Planned Area Development (PAD) to Planned Area Development (PAD) Amended to further expand the list of permitted uses. The proposed uses would be analogous to commercial and retail uses that could operate in a compatible nature within an industrial business park and could include: office supply and reproduction company (copy shop), supply companies, florists and interior decorators, motor vehicle customization and accessory installations, recreational and instructional uses (karate), as well as other business support uses.

Parking availability will control the ultimate land use split when the subject site's suites are built out. Currently, there are two users that occupy suites, with a third recently being approved through the Use Permit process. The users include a large scale (vehicle wraps) printing company, a vehicle accessory installation company and a motorcycle customization and accessory installation company.

DISCUSSION

The Planning Commission and Planning Staff find the requested uses to be compatible with the existing zoning and surrounding uses. Unlike many other classes of retail, these uses are unlikely to compete with struggling area shopping centers for tenants. Rather, the proposed uses are more uniquely suited to the quasi-industrial setting of the subject site. Additionally, Planning Staff recognizes that the subject site is unlikely to attract large warehouse users due to the relatively small truck courtyard and overhead doors. Similarly, the site does not have sufficient parking to support a more pure-office environment. The requested uses present a reasonable solution for what has become an outdated property in the modern local real estate market.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on September 30, 2014. There were no neighbors in attendance. Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Pridemore absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Planning Staff recommend approval subject to the condition listed in the ordinance.

11. REZONING: California and Whitten Ord. #4588

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4588, DVR14-0027 California and Whitten, rezoning from Medium Density Residential District (MF-1) to Planned Area Development (PAD) Multi-family and to PAD Single-family to allow one lot containing a duplex and a single-family home to be subdivided into two lots and modify building setback at 464 S. California Street, and 221 and 241 W. Whitten Street, SWC of California and Whitten streets. (Applicant: Paul Braunstein, BasePlans USA.)

BACKGROUND
The property is located at the southwest corner of California and Whitten streets and contains two buildings. The single-family home is addressed at 464 S. California Street and the duplex is addressed as 221 and 241 W. Whitten Street. The single-family home was built in approximately 1950. The duplex fronts Whitten Street and was built in 1968. The property was previously zoned Two-Family Residential District (R-2) which permitted single-family dwellings and two-family dwellings. The current zoning is Medium Density Residential District (MF-1).

GENERAL PLAN/AREA PLAN
The General Plan designates the subject site as located within the South Arizona Avenue Corridor Area Plan (SAZACAP). The SAZACAP designates this site as Low Density Residential, 0 – 5.9 units/acre. The plan recommends land with this designation; south of Frye Road is rezoned where necessary to allow a single-family home as a permitted use to encourage development of vacant lots. Although the lot is developed with a single-family home, the intent of the Low Density Residential land use is met.

REZONING/PRELIMINARY DEVELOPMENT PLAN
The request is for rezoning from Medium Density Residential District (MF-1) to Planned Area Development (PAD) Multi-family and to PAD Single-family with Preliminary Development (PDP) approval to allow one lot containing a duplex and a single-family home to be subdivided into two lots and modify building setbacks. The property is concurrently under an administrative review process for a Minor Land Division (MLD). The MLD approval is contingent on the final decision of this request.

The single-family structure had an addition built in approximately 1998 without building permits and without verification of setbacks. The addition further reduced the interior side yard setback. As part of bringing the site into compliance, the applicant worked with City Staff to address the building addition to meet building code.

The existing property does not comply with the MF-1 zoning regulations. Accordingly, the request is to reconcile existing nonconformities related to building setbacks and code requirements. Rezoning to PAD single-family and PAD multi-family zoning districts addresses the nonconformities. No changes are proposed to either building as part of this request.

The lot is approximately 6,018 square feet. The MLD process would create two lots with areas of 3,440 sq. ft. and 3,578 sq. ft., Lots 1 and 2 respectively. Lot 1 is the single-family home with requested building setbacks of a 12-ft. front yard, 8-ft. street side yard, 0 ft. interior side yard and 10 ft. rear yard. Lot 2 is the duplex with requested building setbacks of a 14-ft. front yard, 9 ft.-side yards and 3-ft. rear yard.

DISCUSSION
Planning Staff supports the request finding the existing single-family home and duplex are compatible with the character of the neighborhood. Many properties in this MF-1-zoned area contain single-family homes. The request is consistent with the SAZACAP land use designation and maintains compatibility and adjacent uses.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed according to provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on October 2, 2014. There were two neighbors in attendance seeking more information on the request. Planning Staff is not aware of any opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTIONS
Rezoning
Upon finding consistency with the General Plan and South Arizona Avenue Corridor Area Plan, the Planning Commission and Planning Staff recommend approval subject to the condition listed in the ordinance.

Preliminary Development Plan
Upon finding consistency with the General Plan and South Arizona Avenue Corridor Area Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Lot 1 building setbacks shall be a minimum of 12 ft. front yard, 8 ft. side yard, 0 ft. interior side yard and 10 ft. rear yard.
2. Lot 2 building setbacks shall be a minimum of 14 ft. front yard, 9 ft. side yards and 3 ft. rear yard.

12. ANNEXATION: SWC Queen Creek Road and Union Pacific Railroad Ord. #4590

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4590, annexation of approximately 18.75 acres located at the SWC of Queen Creek Road and the Union Pacific Railroad. (Applicant: Adam Baugh, Withey Morris PLC.)

BACKGROUND
The subject site is an undeveloped parcel that is zoned RU-43 within the County. The site is currently used for agricultural purposes and is bordered by an unincorporated rural residential

property to the west, Queen Creek Road to the north, the Union Pacific Railroad to the east and undeveloped property owned by First Baptist Church to the south.

A public hearing for this annexation was held at the October 23, 2014, Council meeting. Staff has not received any comments from residents or other members of the public regarding this annexation. Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

The Chandler Land Use Element of the General Plan designates the site as Employment and refers to the Chandler Airpark Area Plan (CAAP) for more specific land uses. The CAAP designates the subject site as Commercial/Office/Business Park with a Light Rail Corridor Overlay. An area plan amendment application, rezoning and preliminary development plan application has been submitted for a small lot single-family development on the subject site.

Planning Staff does not support the land use that is requested with the pending development applications, but does not oppose the annexation of the subject property to allow the pending applications to be reviewed by the Planning Commission and City Council.

RECOMMENDED ACTION
Planning Staff recommends approval.

13. REAL PROPERTY ACQUISITION: Alma School Road/Chandler Boulevard Res. #4753

Councilmember Weninger declared a conflict of interest on this item.

ADOPTED (6-0) Resolution No. 4753 determining that acquisition of real property needed for and in connection with the improvement of the Alma School Road and Chandler Boulevard Intersection Improvement Project is a matter of public necessity; authorizing the purchase of such real property; authorizing condemnation proceedings as needed to acquire the real property and to obtain immediate possession thereof; and authorizing relocation assistance as may be required by law.

BACKGROUND/DISCUSSION
The alignment for the Alma School Road and Chandler Boulevard Intersection Improvement Project requires acquisition of real property (road right-of-way and easements) from public and private property owners adjacent to, near or related to the roadway being improved.

Upon City Council approval of the alignment for the Alma School Road and Chandler Boulevard Intersection Improvement Project, also on the November 20, 2014 agenda, this resolution authorizes acquisition of the real property at fair market value either by purchase or condemnation. A reasonable negotiation period will be allowed for property purchases, after which condemnation proceedings will be initiated as needed to acquire the real property and to obtain immediate possession. Relocation assistance is authorized where required by law.

FINANCIAL IMPLICATIONS
Right-of-way and any necessary easements will be acquired from approximately 20 property owners. This project is receiving federal funding to pay for the acquisition of the required right-of-way and any relocation that may be required by law.

14. AGREEMENT TERMINATION: Severn Trent Environmental Services, Inc. Res. #4806

ADOPTED Resolution No. 4806 authorizing the City to terminate for convenience the agreement for the Operation and Maintenance of the City of Chandler Ocotillo Water Reclamation Facility by and with Severn Trent Environmental Services, Inc., in the amount of $270,524.00.

BACKGROUND
The City of Chandler is in the thirteenth year of a fifteen-year contract with Severn Trent Environmental Services, Inc., for the operation and maintenance of the Ocotillo Water Reclamation Facility. The contract ends June 30, 2017. The City has the option to terminate the contract for convenience with six months' notice.

The Ocotillo Water Reclamation Facility is critical to the treatment and conveyance of reclaimed water. With Capital Improvement Projects beginning in 2015, it is critical that Staff coordinate all activities associated with the existing facility improvements and the five-million gallon per day (MGD) expansion currently being designed.

The City will provide a Notice to Terminate the Agreement to Severn Trent Environmental Services, Inc., no later than December 31, 2014. Staff will commence operations on July 1, 2015. The cost to terminate the agreement two years early is $270,524.00.

Contractual funding is appropriated annually for operations and maintenance of this facility. No additional funding is required. Funding will include on-going salaries and benefits and on-going operations and maintenance.

15. EASEMENT: Roosevelt Water Conservation District Res. #4811

ADOPTED Resolution No. 4811 authorizing the acceptance of a no-cost roadway and utility easement from the Roosevelt Water Conservation District (RWCD) over portions of Appleby Road and Adobe Drive within Layton Lakes Parcel 26.

BACKGROUND/DISCUSSION
City Council approved the zoning for Layton Lakes at its March 5, 2001, meeting. Various portions of Layton Lakes have been developed over time and now parcel 26 is being developed. RWCD owns a strip of land used for an irrigation facility that runs through the Layton Lakes development. RWCD is granting a Roadway and Utility Easement to the City, at no cost, for the areas where Appleby Road and Adobe Drive cross the RWCD property.

Staff has determined that the legal descriptions on the Roadway and Utility Easement are correct and recommends City Council accept the easement.

16. ARIZONA MUTUAL AID COMPACT AGREEMENT Res. #4812

ADOPTED Resolution No. 4812 authorizing the Arizona Mutual Aid Compact Agreement between the State of Arizona and various counties, tribes and local municipalities for dispatching mutual aid assistance during an emergency or disaster.

BACKGROUND/DISCUSSION
The Arizona Mutual Aid Compact defines the emergency management terms and procedures which will be used among participating political jurisdictions within the State of Arizona for dispatching mutual aid assistance to any affected area in accordance with local ordinances, resolution, emergency plans or agreement. Contracting authority for political subdivisions of Arizona for this compact is based upon A.R.S. § 26-308.

All political jurisdictions within the State of Arizona must prepare for the possibility of an emergency or disaster that would necessitate the utilization of internal resources in response to the emergency and may require the assistance of other jurisdictions. It is during these events that emergency resources of political subdivisions, municipal corporations, tribes and other public agencies should be made mutually available to respond to such emergencies. Each of the jurisdictions should assist one another when such emergencies occur by providing resources that are available and needed including, but not limited to, fire, police, medical and health, environmental communication, and transportation services to cope with the incident. A compact was executed for the interchange of such mutual aid and the manner of financing of such cooperative undertakings in advance of an emergency in 2010. This Mutual Aid Compact is a revision and enhancement of the current compact which establishes the procedures to notify the parties of the need of emergency assistance, identifies available resources for emergency responses and provides a mechanism for compensation to the providing party.

FINANCIAL IMPLICATIONS
The Arizona Mutual Aid Compact provides a mechanism for reimbursement, if reimbursement is requested, by the providing jurisdiction and agreed upon by the receiving jurisdiction.

17. PROJECT AGREEMENT: Maricopa Association of Governments Res. #4813

ADOPTED Resolution No. 4813 authorizing a project agreement with the Maricopa Association of Governments (MAG) for regional reimbursement to the City for design, right-of-way acquisitions and construction for the Old Price Road at Queen Creek Road Intersection Improvement project in the amount of $5,221,528.00.

BACKGROUND/DISCUSSION
This project involves realignment and widening of the Old Price Road at the Queen Creek Road intersection to accommodate the expansion of the Wells Fargo Campus at the northeast corner and Intel to the south. The existing south leg of the intersection contains a private roadway for Intel and the City of Chandler's Ocotillo Water Reclamation Facility and a driveway for Gila River Indian Community (GRIC) access.

The current estimate for the Old Price Road at Queen Creek Road Intersection Improvement project is $3,012,000.00. This estimate is significantly less than the Proposition 400 funds that are available for reimbursement. The general reimbursement will be 70% Proposition 400 funds and 30% local funds. The City will move any remaining savings to another project for future use. These proposed improvements are based on the City's Transportation Master Plan Update (April 2010) for a 20-year design life.

TRANSPORTATION COMMISSION RECOMMENDATION

The Transportation Commission reviewed the project agreement on November 6, 2014, and recommended approval.

FINANCIAL IMPLICATIONS
This agreement will provide regional reimbursement for design, right-of-way acquisitions and construction to the City of Chandler for the Old Price Road at the Queen Creek Road intersection in the amount of $5,221,528.00. Reimbursement is programmed in 2015 ($517,650.00), 2018 ($1,141,000.00), 2019 ($1,363,915.69) and 2021 ($2,198,962.31) and will be adjusted annually for inflation, in accordance with the Maricopa Association of Governments' policies.

18. PROJECT AGREEMENT: Maricopa Association of Governments Res. #4814

ADOPTED Resolution No. 4814 authorizing a project agreement with the Maricopa Association of Governments (MAG) for regional reimbursement to the City for design, right-of-way acquisitions and construction for the Chandler Heights Road (Arizona Avenue to McQueen Road) Arterial Capacity Improvement project in the amount of $7,325,121.35.

BACKGROUND/DISCUSSION
This project involves street widening improvements to Chandler Heights Road from ¼ mile west of Arizona Avenue to McQueen Road. The segment will be widened from two (2) thru lanes to four (4) thru lanes with 5-foot-wide bicycle lanes and a 16-foot-wide graded median. Salt River Project's (SRP) Consolidated Canal bridge crossing and the Union Pacific Railroad's crossing need to be widened to incorporate the additional thru lanes.

Additional improvements will include a 6-foot-wide sidewalk, curb and gutter, a concrete railroad crossing surface and new railroad signals, streetlights, traffic signal interconnect, storm drainage facilities, water and sewer improvements, private utilities and landscaping. Traffic signal fiber interconnect is included to link traffic signals at Arizona Avenue, Crossbow Way and McQueen Road. Sidewalks and ramps will be American's With Disabilities Act (ADA) compliant.

The estimate for the project is $11,185,825.00. The City will fund the project and subsequently submit for Proposition 400 reimbursement. The City has appropriation to pay for any cost difference that is above the Proposition 400 reimbursement amount.

These proposed improvements are based on the City's Transportation Master Plan Update (April 2010) for a 20-year design life.

TRANSPORTATION COMMISSION RECOMMENDATION
The Transportation Commission reviewed the project agreement on November 6, 2014, and recommended approval.

FINANCIAL IMPLICATIONS
This agreement will provide regional reimbursement for design, right-of-way acquisitions and construction to the City of Chandler for the Chandler Heights Road (Arizona Avenue to McQueen Road) Arterial Capacity Improvement project in the amount of $7,325,121.35 in fiscal years 2018 ($1,287,825.00), 2021 ($3,245,985.65), and 2024 ($2,791,310.70) and will be adjusted annually for inflation, in accordance with MAG's policies.

19. PROJECT AGREEMENT: Maricopa Association of Governments Res. #4815

ADOPTED Resolution No. 4815 authorizing a project agreement with the Maricopa Association of Governments (MAG) for regional reimbursement to the City for design and construction of an eastbound right turn lane at the Ray Road at Dobson Road intersection in the amount of $266,000.00.

BACKGROUND/DISCUSSION
This Project Agreement is for reimbursement to the City of $266,000.00 in Fiscal Year 2015 of Proposition 400 funds for design and construction of an eastbound right turn lane at the Ray Road and Dobson Road intersection.

TRANSPORTATION COMMISSION RECOMMENDATION
The Transportation Commission reviewed the project agreement on November 6, 2014, and recommends approval.

FINANCIAL IMPLICATIONS
This agreement will provide regional reimbursement to the City for design and construction of an eastbound right turn lane at the Ray Road and Dobson Road intersection in the amount of $266,000.00. Reimbursement is programmed in Fiscal Year 2015 and will be adjusted annually for inflation, in accordance with the MAG's policies.

20. SERVICES AGREEMENT: Arizona Department of Revenue Res. #4822

ADOPTED Resolution No. 4822 authorizing a services agreement with the Arizona Department of Revenue to perform municipal privilege tax licensing services on behalf of the Arizona Department of Revenue for Calendar Year 2015 and authorize the City Manager to sign any documents, agreement amendments, or requests required to implement said agreement.

BACKGROUND
On April 23, 2014, House Bill (HB) 2389 passed the Arizona House and Senate and was signed into law by the Governor. The intent of this bill was to provide legislative guidance and authorization to assist in the transition of Transaction Privilege Tax collection activity from the City of Chandler to the Arizona Department of Revenue (ADOR) beginning January 2015 to comply with HB 2111. One of the provisions of this bill required ADOR to perform the Transaction Privilege Tax license renewal and new licensing for all cities, including Chandler, during calendar year 2015.

The transition of collecting tax revenues to ADOR has since been delayed until 2016 as the Department does not have the necessary technological improvements ready for the transition. However, the legal requirement remains that requires ADOR to license and renew licenses for all cities in 2015. This service agreement allows Chandler to perform the Transaction Privilege Tax license renewal and new licensing for ADOR to meet the requirements of HB 2389, while allowing for no interruption in licensing services as the City is ready and able to perform this service for businesses that remain in our jurisdiction during the calendar year.

21. PRELIMINARY DEVELOPMENT PLAN: Layton Lakes – Parcel 22 Taylor Morrison

APPROVED Preliminary Development Plan PDP14-0012 Layton Lakes – Parcel 22 (Taylor Morrison), for housing product on a portion of approximately 44.5 acres located south and east of the SEC of Gilbert and Queen Creek roads. (Applicant: Michelle Golfin, M. Architectural Consulting, Inc.)

BACKGROUND

The approximate 832-acre Layton Lakes Master Planned development received PAD zoning in March 2001. Of the 832 acres, approximately 373 acres are within the City of Chandler with the majority of Phase I occurring in the Town of Gilbert. In December 2003, a PDP was approved for the 21.6-acre Community Recreation Center as part of Phase I within the City of Chandler. In February 2004, Council approved a Preliminary Development Plan (PDP) and Preliminary Plat involving the subdivision layout and landscape plans for Phases 2, 3 and 4 of the master planned community. The subject Parcel 22 was part of this PDP approval and included 95 residential units. Most recently, Parcel 22 was amended from the original 95 lots with a standard lot size of 90' x 120' (10,800 sq. ft.), to 96 lots with a standard lot size of 90' x 140' (12,600 sq. ft.). Each of the 7 residential subdivisions within the Chandler portion of Layton Lakes would be required to process future PDP's for the housing product.

The subject Parcel 22 is bordered to the north by a portion of the Layton Lakes lake system and open space with Parcel 21 located north of the lake and stream. Layton Lakes Boulevard abuts the site's east side with additional Layton Lakes open space and the Eastern Canal abutting the site's western side. The Appleby Road alignment borders the site's southern side with existing rural residential properties within Maricopa County located south of the Appleby Road alignment.

The request is for PDP approval of housing product for the remaining 49 lots within the 96-lot Parcel 22; Maracay Homes recently received PDP approval for the other 47 lots. The proposed housing product by Taylor Morrison Homes includes 4 single-story plans ranging in size from 2,811 sq. ft. to 3,862 sq. ft. as well as 3 two-story plans ranging in size from 3,916 sq. ft. to 4,676 sq. ft. Due to the standard lot width of 90 feet, multiple housing product widths are offered; six 60-foot wide plans and one 70-foot wide plan. Three distinct architectural styles are offered. Finally, a 490 sq. ft. single-story casita/guest house is provided. This optional casita will be located within the rear yard only and comply with the applicable side and rear yard building setbacks and lot coverage. Additional product details can be found in the Development Booklet.

DISCUSSION

Planning Staff supports the request finding the proposed housing product to represent a quality addition to the Layton Lakes community, while adding additional diversity to Parcel 22. The homes meet the intent of the Residential Development Standards by not only providing strong architectural design diversity, but through the optional detached casita as well.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on October 10, 2014. One rural residential neighboring property owner was in attendance. Questions were asked and discussed regarding the proposed housing product mostly in regards to two-story homes along the southern property line. It was conveyed that those lots along the southern property line had a deeper 45-foot rear yard setback to mitigate the adjacent rural condition. No formal opposition was offered. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "LAYTON LAKES – PARCEL 22 (TAYLOR MORRISON)" kept on file in the City of Chandler Planning Services Division, in File No. PDP14-0012, except as modified by condition herein.
2. Compliance with the original stipulations adopted by the City Council as Ordinance 3250, case DVR00-0025 LAYTON LAKES, except as modified by condition herein.
3. Compliance with the original stipulations adopted by the City Council as case PDP03-0038 LAYTON LAKES, except as modified by condition herein.
4. The same elevation shall not be built side-by-side or directly across the street from one another.
5. Window mullion/muntin patterns shall remain consistent on all sides of the homes.
6. Corner lots shall be limited to single-story homes only.

22. CANVASS: General Election Results

CANVASSED the results of the City of Chandler General Election results of November 4, 2014.

Tabulation has concluded on the November 4, 2014, General Election. Proposition 479 (City Council term limit extension) failed on a vote of 19,094 "yes" votes to 32,926 "no" votes.

The County Board of Supervisors met to canvass the results on November 19th and these are the final precinct reports.

23. AMENDMENTS: Chandler Airport Commission Bylaws

AUTHORIZED amendments to the Chandler Airport Commission bylaws.

BACKGROUND/DISCUSSION
Ordinance No. 685 established the Chandler Airport Commission with several amendments culminating with Ordinance No. 4419 amending the Chandler City Code referencing the Commission. Pursuant to City Code, the Commission may establish bylaws related to its operating procedures. The Mayor and Council retain the authority to review and approve bylaws for the Commission.

This summer, a Commission subcommittee and City Staff worked together with the City Attorney's office to revise the bylaws, which were last amended in 2010. The proposed revisions were presented to the entire Commission at their regular meeting on October 8, 2014. At that time, the Commission voted unanimously to forward a recommendation to City Council to adopt the revised Airport Commission Bylaws. Key revisions include:

1. Modifications to reflect departmental changes;
2. Reducing the number of subcommittees from five to four by eliminating the Airport and Airspace Subcommittee;

3. Providing the Chair the flexibility to cancel a meeting if there are no action items on the agenda. In no case shall more than two consecutive meetings be cancelled.

24. ALIGNMENT: Alma School Road and Chandler Boulevard Intersection Improvements

Councilmember Weninger declared a conflict of interest on this item.

APPROVED (6-0) the alignment for the Alma School Road and Chandler Boulevard Intersection Improvements.

BACKGROUND/DISCUSSION
The purpose of this project is to improve safety by adding protected left turn movements with double left turn bays and right turn lanes in all four directions through the Chandler Boulevard and Alma School Road intersection. Also, additional capacity will be added with the construction of a third travel lane on northbound and southbound Alma School Road through the intersection along with queue jumper bus lanes on eastbound and westbound Chandler Boulevard.

The intersection handles approximately 61,000 vehicles per day and had the fourth highest collision rate in the City in 2012. A before and after crash analysis of similar intersection improvement projects in Chandler showed accidents decreased an average of 43 percent.

The project limits will extend along Chandler Boulevard from approximately 900 feet west and 1,200 feet east of Alma School Road. Along Alma School Road, the limits extend from 1,300 feet south to 1,000 feet north of Chandler Boulevard.

The map of the recommended alignment shows that only partial right-of-way acquisitions are required for this project. There is no impact to parking at the commercial development. Adjacent land ownership within the project limits are privately owned and consist of developed commercial and residential properties. Alignment approval is requested to acquire partial right-of-way and any necessary easements from approximately 20 property owners.

Public and business meetings were held on July 15, 2014. City Staff presented the proposed project and solicited public input. Staff presented project information, responded to questions, and received additional input from business owners and residents. Meeting attendees showed overall support for the project. However, concern about the impact the project will have on businesses during construction was raised at the meetings. The project will provide as much access to the adjacent businesses as possible and will have the shortest construction time that is reasonable for the project. Staff directed the property owner to view traffic accounts and accident reports posted on the City's website for the past three years and will provide more traffic information as requested. Attendees were invited to attend future stakeholder meetings for additional project information and input.

FINANCIAL IMPLICATIONS
The total estimated cost for this project is $9,552,622.00. This cost will be offset by a federal Highway Safety Improvement Program (HSIP) grant in the amount of $5.4 million. Additionally, the City is programmed to receive a maximum total of $1.25 million in Regional Area Road Fund (RARF) reimbursement and $2.1 million in federal Surface Transportation Program (STP) funds. Grants revenues are subject to City cost sharing in the amount of 5.7% for both the HSIP and STP funds and 30% for the RARF funds committed to the project.

25. EMPLOYMENT CONTRACT: City Magistrate Michael Morales

APPROVED the employment contract for City Magistrate Michael Morales from October 17, 2014, through June 30, 2017, with an annual base salary of $148,000.00.

26. EMPLOYMENT CONTRACT: City Magistrate Gary LaFleur

APPROVED the employment contract for City Magistrate Gary LaFleur from October 17, 2014, through June 30, 2017, with an annual base salary of $148,000.00.

27. EMPLOYMENT CONTRACT AMENDMENT: City Magistrate Alicia Skupin

APPROVED an amendment to the employment contract for City Magistrate Alicia Skupin from October 6, 2014, through June 30, 2017, with an annual base salary of $148,000.0-0.

28. AGREEMENT AMENDMENT: Fire Protection Services

APPROVED Agreement No. BF2-9363118, Amendment No. 1, with Signal One Fire & Communication, LLC, and Aero Automatic Sprinkler Company for fire protection services, repair & maintenance in a combined amount not to exceed $200,000.00. This is the first of 3 one-year optional extensions.

29. AGREEMENT: Raftelis Financial Consultants, Inc.

APPROVED Agreement No. MS5-918-3467 with Raftelis Financial Consultants, Inc., for a water, wastewater and reclaimed water utility rate study in an amount not to exceed $93,085.00.

City Financial Policies state that a Utility Rate Study be performed a minimum of every four years with internal rate analyses completed every year. Since the major restructuring of City water and wastewater rates in 2007, the City has used consultants to modify the original rate structure (Red Oak Consulting – 2009) and to establish a cost recovery rate plan for reclaimed water (Raftelis Financial Consultants – 2013). Annual internal staff analyses of all utility rate models continue to be conducted every year to develop 10-year projections for operating and capital revenues, expenses and rate changes.

This study will evaluate the cost of delivery for water and reclaimed water and the cost of wastewater services provided to all customer categories. The study will also provide data on projected growth, operating and capital costs, using the Water and Wastewater Master Plans to validate assumptions in the City's current water and wastewater rate models. No changes to existing usage tiers are being evaluated, but the study will examine the impact of possibly converting to a single water user rate structure from the existing summer/winter rate structure. The study will also continue the work from the 2013 study regarding reclaimed water to develop the true cost of delivery for reclaimed water, including operating and capital costs and the capacity each class receives.

30. AGREEMENT: Segal Consulting

APPROVED Agreement No. HR5-918-3461 with Segal Consulting for employee benefits and actuary services in an amount not to exceed $120,000.00, effective January 1, 2015, through December 31, 2015, with the option to renew for four additional one-year periods.

Historically, the City has employed the services of a benefits consultant to assist with administrative vendor management of all group and voluntary insurance plans including Health, Dental, Vision, Life, Flexible Spending and Employee Assistance Program offered to employees and their dependents for both self-funded and fully insured plans to include renewal negotiations.

The consultant's management process enables the City to define and continuously validate long-term benefit strategies that align its needs and those of the participants as demonstrated by the City's current health plan design and wellness initiative. The consultant is involved in claims/utilization analysis as well as plan performance reviews and compliance adherence. They also advise staff of legislation that impacts City benefits programs and work with the healthcare taskforce to review plan design strategies to reduce healthcare costs.

Segal has extensive public sector benefits consulting experience with a focus on customized expertise based on the City of Chandler's goals and objectives. Segal focuses on a team approach to consulting with extensive peer review and quality control measures within their work product. Segal's consultants have broad experience and extensive knowledge of the employee benefits field and are frequent speakers at various national conferences and meetings.

31. PROJECT AGREEMENT: Perlman Architects

APPROVED Project Agreement No. HO1403.201 with Perlman Architects for engineering professional services for the design of the Kingston Duplex, pursuant to On-Call Architectural Services Contract No. EN1504.101, in an amount not to exceed $35,775.00.

The Kingston property is located on the west side of Kingston Street between Chandler Boulevard and Buffalo Street. This property was previously used as a potable well site facility by the Municipal Utilities Department (MUD) from 1961 to 2013, when the well was abandoned. At the Council meeting of August 14, 2014, Council approved the transfer of the property from MUD to the Housing Division as well as a $300,000.00 budget to develop and construct a duplex on the property.

The project scope is to provide architectural, structural engineering, mechanical plumbing, electrical engineering and civil engineering professional services for the design of the Kingston Duplex for permit approval and construction bidding. The housing to be developed is a single-story, "ranch style" duplex with stucco finish. Each unit will include two bedrooms and one bathroom. Units will include single car garages.

32. PROJECT AGREEMENT: Dibble Engineering

APPROVED Project Agreement No. WA1504.201 with Dibble Engineering for design services for Large Valve Replacement, pursuant to On-Call Water and Wastewater Services Contract No. EN1520.101, in an amount not to exceed $95,290.00.

33. PROJECT AGREEMENT: Stantec Consulting Services, Inc.,

APPROVED Project Agreement No. WW1503.201 with Stantec Consulting Services, Inc., for design services for Old Pecos Lift Station Force Main, pursuant to On-Call Water and Wastewater Services Contract No. EN1521.101, in an amount not to exceed $183,517.00.

34. PROJECT AGREEMENT: Carollo Engineers, Inc.

APPROVED Project Agreement No. WA1503.201 with Carollo Engineers, Inc., for design services for the Surface Water Treatment Plant Rehabilitation, pursuant to On-Call Water and Wastewater Services Contract No. EN1518.101 in an amount not to exceed $240,572.00.

35. PROJECT AGREEMENT: Wilson Engineers, LLC,

APPROVED Project Agreement No. WA1506.201 with Wilson Engineers, LLC, for design services for Riggs Road Well Equipping, pursuant to On-Call Water and Wastewater Services Contract No. EN1517.101 in an amount not to exceed $161,940.00.

36. PROJECT AGREEMENT: AZTEC Engineering Group, Inc.

APPROVED Project Agreement No. SW1501.201 with AZTEC Engineering Group, Inc., for design services for Solid Waste Facility Improvements, pursuant to On-Call Water and Wastewater Services Contract No. EN1523.101 in an amount not to exceed $81,670.00.

37. PROFESSIONAL SERVICES AGREEMENT/FUND TRANSFER: Gangplank, LLC

APPROVED a Professional Services Agreement with Gangplank, LLC, for a collaborative co-working space, web and technology development, technology recruitment, and educational related services in the amount not to exceed $550,000.00 over a period of three years.
APPROVED a General Fund Appropriation Transfer in the amount of $200,000.00 from General Fund Non-Departmental Capital Strategic Economic Development Reserve to the Gangplank Project account.

BACKGROUND/DISCUSSION
Gangplank, LLC, located in Downtown Chandler, is a 12,000 square foot open, collaborative co-working space for entrepreneurs, web professionals, designers, developers, consultants and other professionals.

Gangplank, LLC, averages approximately 2,400 visits per month including entrepreneurs, client meetings, creative Mondays, Hacknights, Usergroups, Academy Sessions and scheduled events. In addition, Gangplank has been instrumental in bringing events into Chandler including WordCamp, Desert Code Camp, Scrum Alliance Coaches Gathering, and Start Up Weekends, which accounts for an additional 2,000 visits yearly. Gangplank's networking and consulting with technology based companies assisted in several spin-outs including Hiring Solved, Drawbackwards, Authority Labs, Clairvoyant, and Sirius Integrated.

Gangplank, LLC, purchased the building next to their original location and will double their capacity by adding an additional 10,000 square feet to be used primarily as venue space for technology related events.

The new Professional Services Contract is a three-year contract with a yearly fee schedule as follows: Year 1 - $200,000.00; Year 2 - $180,000.00; Year 3 - $170,000.00. Services to be performed include: providing an open collaborative co-working space, providing weekly education series, hosting a minimum of one conference a year, creating a web page representing a One-Stop Shop where Chandler companies can post job openings, creating a video(s) to focus on recruitment of entrepreneurial companies and creating various databases and applications to assist the City of Chandler Economic Development Department and the business community.

A complete list of services to be performed can be found in the Professional Services Contract.

FINANCIAL IMPLICATIONS
Funding is available within the General Fund Strategic Economic Development Reserve for transfer to the Gangplank project to cover the first year ($200,000) of the three-year contract. The second ($180,000) and third ($170,000) years will be incorporated into the General Fund one-time forecast for appropriation with the appropriate fiscal year budget.

38. AGREEMENT AMENDMENT: Cemex Construction Materials South, LLC

APPROVED Agreement No. ST3-745-3186, Amendment No. 2, with Cemex Construction Materials South, LLC, for hot mix asphalt materials in an amount not to exceed $200,000.00 for one year. This is the final optional one-year renewal.

39. PROJECT AGREEMENT: Aztec Engineering Group, Inc.

APPROVED Project Agreement No. IT088.201 with Aztec Engineering Group, Inc., for civil engineering professional design services to provide enhanced communications high-speed fiber optic service to various remote City facility locations, pursuant to On-Call Civil Engineering Services Contract No. EN1505.101, in an amount not to exceed $128,220.00.

40. PROJECT AGREEMENT: Ritoch-Powell & Associates

APPROVED Project Agreement No. ST1405.201 with Ritoch-Powell & Associates for design services for bike lane safety improvement, pursuant to Annual Civil Design and Platting Services Contract EN1506.101, in an amount not to exceed $106,719.00.

41. No item.

42. CONTRACT: Salt River Project

APPROVED Contract No. ST1305 to Salt River Project (SRP) for Old Price Road and Queen Creek Road Intersection Improvements in an amount not to exceed $232,382.96.

43. CONSTRUCTION CONTRACT: FMI Heating and Cooling

APPROVED Construction Contract No. BF1401.401 with FMI Heating and Cooling for Tumbleweed Recreation Center HVAC Repairs in an amount not to exceed $387,000.00.

44. PURCHASE: Nexus IS, Inc.

APPROVED the purchase of Cisco network equipment from Nexus IS, Inc., utilizing State of Arizona Contract No. ADSPO12-024622, in an amount not to exceed $352,031.00.

Most City of Chandler information technology infrastructure equipment is evaluated after 5 years of operation to determine reliability and viability for continued use. Network infrastructure at remote City sites has been evaluated this fiscal year under this methodology. It has been determined that this equipment has reached end of useful life and needs to be replaced to reduce the risk of unplanned outages. All equipment has been in use for over 5 years and is being replaced as part of the technology replacement cycle.

The networking infrastructure equipment being replaced is installed in various remote City facilities that allow those locations to connect to critical City technology services that are provided on centralized systems. This connectivity is crucial to processes that require connectivity to City technology services and systems.

Nexus IS, Inc., is an authorized reseller of Cisco hardware, has a participating Western States Contracting Alliance contract and was able to work with the City and Cisco to authorize additional savings outside of standard negotiated discounts.

45. CONTINUED USE PERMIT: Verizon Wireless – McClintock and Ray

CONTINUED TO JANUARY 22, 2015, Use Permit ZUP14-0011 Verizon Wireless-McClintock and Ray, to install a monopalm wireless communication facility at 3875 W. Ray Road, SEC of McClintock Drive and Ray Road. The Planning Commission continued this item to their November 19, 2014, meeting. The applicant requests continuance in order to provide additional information to the Planning Commission.

46. USE PERMIT: Verizon – Paseo Del Oro

APPROVED Use Permit ZUP14-0018 Verizon – Paseo Del Oro, to install a 55-foot monopalm wireless communication facility at 3150 N. Alma School Road, NWC of Alma School and Elliot roads. (Applicant: Steve Ciolek, Coal Creek Consulting.)

BACKGROUND

The request is for Use Permit approval to install a monopalm wireless communication facility at 3150 N. Alma School Road, northwest corner of Alma School and Elliot roads. The proposed monopalm is 55-feet tall, measured to the top of antennas. The monopalm would be placed adjacent to a fenced retention area in the service area. The nearest residential development is the Elliot Place condominiums, approximately 100 feet to the west of the monopalm. Commercial, office, retail and a preschool are surrounding land uses.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

A monopalm is a cell tower disguised as a palm tree. The monopalm would be a Date Palm design, having a minimum of 65 fronds, and the antennas would be painted to match the fronds. The equipment enclosure would be eight-feet high and constructed of concrete masonry units painted to match the color of the adjacent building. A state approved pre-fabricated equipment shelter would be contained within the enclosure. A solid metal gate allows access for routine maintenance.

Within the immediate area, there are no other suitable alternatives for co-location of the wireless communication facility on existing poles or towers. An inventory of existing facilities, vertical towers and structures located within an approximate one mile radius was prepared by the applicant to assess alternative locations. Nine locations were analyzed to determine their feasibility for collocation on utility poles, street and parking lot lights, monopoles, and other verticalities. None of the locations met the frequency requirements and locational service needs.

Photographic simulations of the wireless communication facility illustrating existing views and proposed views were provided by the applicant. The simulations depict the equipment enclosure and monopalm as viewed from several locations.

DISCUSSION
Planning Staff finds the proposed location to be appropriate for a wireless communication facility in the form of a 55-ft. monopalm, measured to the top of antennas. The monopalm design is appropriate at this location given the presence of palms in the adjacent neighborhood. The separation from the condominiums to the west is less than the 160 ft. distance of recently approved wireless facilities; however, a 55-ft. tall stealth monopole exists within the same center, about 80 ft. northeast of this monopalm, and approximately 55 ft. from the condos. No public input or known opposition has been received during the public notification process.

Given no public opposition to the location and the presence of another wireless facility in the same center, Planning Staff is of the opinion that permitting the monopalm at this specific location is consistent with the review factors examined as part of the Use Permit process.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 28, 2014. There were no neighbors in attendance. Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.

47. USE PERMIT: Circle K Store

APPROVED Use Permit ZUP14-0024 Circle K Store, for a fuel station within a Community Commercial (C-2) zoned district located north of the NEC of Dobson and Elliot roads. (Applicant: David Cisiewski; Law Office of David Cisiewski, PLLC.)

BACKGROUND
The subject site is located north of the northeast corner of Dobson and Elliot roads. Adjacent, to the south of the subject site, is a recently constructed TruWest Bank and Dunkin Donuts. North and east of the site is vacant land zoned for C-2 uses, with the Woodglen Unit Five single-family residential subdivision north of the vacant property.

In 1980, Mobil Oil received Use Permit approval for a fuel station at the immediate intersection corner. In order for the corner to be redeveloped, the fuel station was demolished in late 2013 to allow for the construction of the TruWest Bank.

The site includes a 4,700 sq. ft. convenience store and eight double-sided fuel pumps. The site, convenience store, and fuel canopy have been designed to architecturally integrate with the adjacent TruWest Bank and Dunkin Donuts through the use of similar building materials, color palette, landscape materials and signage. The development of the commercial corner meets the requirements as outlined in the Zoning Code.

DISCUSSION
The Planning Commission and Planning Staff support the request finding that the fuel station meets the requirements outlined in the General Plan and the C-2 zoning district. Discussions regarding the design of fuel stations and appropriate application of design standards have been a recent topic of discussion. These conversations occurring over the years have led to a positive relationship with Circle K resulting in fuel stations designed like that at Arizona Avenue and Elliot Road which exceed City standards. With this request, due to the nature of the site being located within a hard-zoned C-2 designation, the applicant and Planning Staff worked with the development teams of the TruWest Bank and Dunkin Donuts that share the sight to ensure that building materials, color palette, landscape materials and signage create a cohesive and integrated development.

Due to the fact that the site is hard-zoned, a number of typical conditions of approval do not apply as the development will be required to meet all applicable codes.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 28, 2014. There were three neighbors in attendance in support of the request. Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Pridemore absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and C-2 zoning district, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler shall apply.
2. The site shall be maintained in a clean and orderly manner.

48. USE PERMIT: Circle K Store

APPROVED Use Permit LUP14-0016 Circle K Store, Series 10 Beer and Wine Store Liquor License, to sell and serve liquor as permitted for off-premise consumption within a new fuel station convenience store located north of the NEC of Dobson and Elliot roads. (Applicant: David Cisiewski, Law Office of David Cisiewski, PLLC.)

BACKGROUND
The subject site is located north of the northeast corner of Dobson and Elliot roads. Adjacent to the site is a recently constructed TruWest Bank and a Dunkin Donuts. North and east is vacant land zoned for C-2 uses with the Woodglen Unit Five single-family residential subdivision north of the vacant property.

The request is for Liquor Use Permit approval to sell beer and wine for off-premise consumption only as permitted under a Series 10 Beer & Wine Store License. The 4,700 sq. ft. convenience store will sell beer and wine seven days a week during the hours allowed by state law.

Alcohol will be stored and sold in a few areas of the store which includes a limited storage area behind the cashier, store displays and cooler areas. The liquor storage and sales area will be under security camera surveillance for the safety of customers and employees.

A Use Permit is currently under review requesting fuel sales on the subject site. Upon approval of the Use Permit for the fuel station, construction is anticipated to start shortly thereafter.

DISCUSSION
The Planning Commission and Planning Staff support the request finding that the sale of alcohol as a retail commodity ancillary or incidental to the sale of other retail products occurring in a commercially zoned area does not establish a land use conflict. The sale of alcohol from a land use compatibility analysis is a typical retail transaction in commercial districts throughout the City.

The Planning Commission and Planning Staff recommend approval with no time limit to maintain consistency with other Series 10 Liquor Use Permits approved for similar type retailers.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 28, 2014. Three neighbors were in attendance in support of the request. Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Pridemore absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit granted is for a Series 10 License only and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require a new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

49. LIQUOR LICENSE: Circle K Store #3452

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #155019 L10) for Kim Kenneth Kwiatkowski, Agent, Circle K Stores, Inc., dba Circle K Store #3452, 3033 N. Dobson Road. Recommendation for approval of State Liquor License #10076589 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

50. USE PERMIT: Makutu's Island

APPROVED Use Permit LUP14-0019 Makutu's Island, Series 12 Restaurant License to sell and serve liquor as permitted for on-premise consumption within an indoor family entertainment center, 6919 W. Ray Road, SEC of 56th Street and Ray Road. (Applicant: Kiran Vedantam.)

BACKGROUND

Makutu's Island is an existing indoor family entertainment center located at the southeast corner of Ray Road and 56th Street in the Chandler Crossing retail center. A swim club, Circle K, Liberty Mutual and other commercial businesses are located in the center. Chandler Crossing single-family subdivision is east of the site.

The indoor family entertainment center hosts birthday parties, team building events for corporations, and business meetings. Hours of operation are from noon until 8 p.m. Monday through Thursday, noon until 9 p.m. on Friday and from 10 a.m. until 9 p.m. on Saturday and Sunday with varied hours on holidays and school breaks. There are three full time and 40 part time employees. Liquor would be served in the Café, dining and lounge areas and in the party rooms. Liquor would not be permitted beyond these areas with signs posted to indicate this restriction.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 22, 2014. There were several residents in attendance with concerns including risks associated with serving alcohol in a child-oriented business, adjacency to the swim school and parents should not be given the option to drink and drive. Planning Staff received several phone calls and written correspondence in opposition with similar concerns.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 1.

Three neighbors attended the meeting in opposition, two of which spoke. One resident, whose home backs up to the commercial center, spoke with concerns about serving liquor within a child-themed venue and the image/perception it sets with drinking and driving. A second resident spoke in opposition. However, this resident not only owns a home immediately to the southeast, but also owns the swim school located in the same center. This resident's concerns involved the similar peak-child activity times for both his business and Makutu's Island and that the parking lot is already a dangerous place. Speed bumps, caution signs, and such have already been installed throughout. His concern is the addition of liquor (parents driving) will negatively add to the situation. The third resident did not speak but indicated their opposition.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 license only and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.

51. LIQUOR LICENSE: Makutu's Island

APPROVED a Series 12 Restaurant Liquor License (Chandler #153156 L12) for Kiran Venkata Vedantam, Agent, Happy Zone LLC, da Makutu's Island, 6919 W. Ray Road. Recommendation for approval of State Liquor License #1207A032 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

52. LIQUOR LICENSE: Homewood Suites

APPROVED a Series 7 Beer and Wine Bar Liquor License (Chandler #155084 L7) for Andrea Dahlman Lewkowitz, Agent, OCI Chandler of Delaware I, LLC, dba Homewood Suites 1221 S. Spectrum Boulevard. Recommendation for approval of State Liquor License #07070855 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. This application reflects a change in ownership. Transportation and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as North Central Management, Inc., dba Homewood Suites.

53. LIQUOR LICENSE: Hampton Inn & Suites Chandler

APPROVED a series 10 Beer and Wine Store Liquor License (Chandler #155184 L10) for Andrea Dahlman Lewkowitz, Agent, OCI Chandler of Delaware I, LLC, dba Hampton Inn & Suites Chandler, 1231 S. Spectrum Boulevard. Recommendation for approval of State Liquor License #10076591 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as North Central Management, Inc., dba Hampton Inn & Suites Chandler.

54. PERMANENT EXTENSION OF PREMISES: GOGI

APPROVED permanent extension of premises for a Series 12 Restaurant Liquor License (Chandler #148241 L12) held by Gogi, Inc., dba GOGI, 2095 N. Dobson Road, Suite C-8. Recommendation for approval of permanent extension of premises for State Liquor License #12079654 will be forwarded to the State Department of Liquor Licenses and Control. Gogi, Inc., dba GOGI, 2095 N. Dobson Road, Suite C-8 has requested a permanent extension of their alcohol serving area to include outside seating. This business was approved for a Series 12 Restaurant Liquor License on December 12, 2013. The Police Department reports no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

55. PRELIMINARY PLAT: Continuum at Dobson Road

APPROVED Preliminary Plat PPT14-0009 Continuum at Dobson Road, for a business park campus development located on the NWC of Dobson and Queen Creek roads. (Applicant: Hunter Engineering.)

BACKGROUND
This Preliminary Plat is for a business park campus development that was approved by Council in August 2014. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and PAD zoning, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

56. FINAL PLAT: Arizona Avenue and Queen Creek Road

Councilmembers Ellen, Donovan and Hartke voted nay on this item.

APPROVED (4-3) Final Plat FPT14-0007 Arizona Avenue and Queen Creek Road, for a single-family residential subdivision located at the NEC of Arizona Avenue and Queen Creek Road. (Applicant: EPS Group.)

BACKGROUND
This final Plat is for a single-family residential development that was approved by Council in May 2014. The plat creates the lots and tracts, establishes the necessary easements and dedicates required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval.

57. FINAL PLAT: Canopy Lane

APPROVED Final Plat FPT14-0013 Canopy Lane, for a single-family residential subdivision located north of the NWC of Dobson and Germann roads. (Applicant: Troy Peterson; Bowman Consulting.)

BACKGROUND
This Final Plat is for a single-family residential subdivision located north of the northwest corner of Dobson and Germann roads that was approved by Council in September 2014. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

58. FINAL PLAT: Wildhorse

APPROVED Final Plat FPT14-0015 Wildhorse, for a 15-lot single-family residential subdivision located north of the NWC of Willis Road and El Dorado Drive. (Applicant: Troy Peterson; Bowman Consulting.)

BACKGROUND
This Final Plat is for a 15-lot single-family residential subdivision that was approved by Council in October 2014. The Final Plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

59. FINAL PLAT: Echelon at Ocotillo

APPROVED Final Plat FPT14-0009 Echelon at Ocotillo for a single-family residential subdivision on property totaling approximately 64 acres located at the SEC of Alma School and Ocotillo roads. (Applicant: Michael Banta, Hoskin Ryan Consultants, Inc.)

BACKGROUND
This Final Plat is for a single-family residential subdivision located at the southeast corner of Alma School and Ocotillo roads that was approved by Council in June 2014. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

60. MINUTES: City Council Regular Meeting

APPROVED the minutes of the Chandler City Council Regular Meeting of October 23, 2014.

61. SPECIAL EVENT LIQUOR LICENSE: Blue Thunder Law Enforcement Club

APPROVED A Special Event Liquor License for the Band of Brothers Rally Fundraiser on Saturday, December 6, 2014, located at Fibber Magees, 1989 W. Elliot Road, Suite 19. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to their event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

- Elevation Chandler – the half built structure near the Chandler mall was demolished today, and construction will start in 2015. He thanked the Hines Group for developing the new project, and working so quickly to take down Chandler's largest eyesore.
- Celebration Plaza - This Saturday, former Mayor Coy Payne and the Chandler Lions Club will be inducted into celebration Plaza. Celebration Plaza is located at Tumbleweed Park and honors those with a long-time commitment to service in the community. The event begins at 9 a.m., and the Plaza is located west of the Tennis Center in the main turf area of the park. He congratulated former Mayor Coy Payne and the members of the Lions Club.
- Tumbleweed Tree Lighting and Parade of Lights
  This year's event is on Saturday, December 6th in downtown Chandler
  The free event begins at 4:30 p.m., the Parade beginning at 7 p.m., and the lighting of the Tumbleweed Tree following the parade.

B. Councilmembers' Announcements

COUNCILMEMBER WENINGER announced he attended the one year anniversary event of the TechShop on November 15th. ASU students can participate at no cost. He noted the agreement Council just approved with GangPlank, which helps entrepreneurs and small business people collaborate on business solutions and other aspects related to running a business.

COUNCILMEMBER SELLERS commented on his trip to Hermosillo Mexico last week with Maricopa Association of Governments. They met with Presidents of the Chambers of Commerce for that region and Arizona State Representatives. They toured the Ford assembly plant and discussed the improvements of Highway 15 that have been made to improve commerce between the US and Mexico.

VICE MAYOR HEUMANN announced Small Business Saturday on November 29th. He congratulated Councilmember Weninger on being elected to the Arizona Legislature.

COUNCILMEMBER DONOVAN encouraged giving to community organizations. She provided the following link http://www.forourcity.org to learn more about 2014 Thanksgiving drives and Holiday drives.

COUNCILMEMBER HARTKE said this TechShop was the most aggressive startup on the nation. He announced Friday the 21st is the Chandler Art Walk. On Wednesday, November 26th at the Boys and Girls Club at 300 East Chandler Blvd., there will be a free community meal starting around 6 p.m. and the Salvation Army is sponsoring Thanksgiving lunch at the Chandler Community Center.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:28 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: December 8, 2014

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 20th day of November 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 11 day of December, 2014.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, December 8, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:00 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	*Jeff Weninger	Councilmember

* Councilmember Weninger participated by phone.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Victor Hardy – Congregational Church of the Valley

PLEDGE OF ALLEGIANCE: Councilmember Donovan led the Pledge of Allegiance.

CONSENT:

VICE MAYOR HEUMANN had comments regarding item No. 14. He thanked the project developer for working with the neighborhood. He noted there still may be details to work out, such as the landscape palette, the connectivity, and the gas canopy.

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER DONOVAN, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MS. LATONA PATTEN, 2671 E. Coconino Dr., Chandler AZ: She addressed two issues with the development.

1. Ocotillo will be torn up once again, there will be changes the median, again, and the curb cuts accessing the shopping center will be modified. Currently if you are driving eastbound on Ocotillo the lanes go from two lanes, to one lane in front of their development, then widens to two lanes again. She said it would behoove the city to widen this small stretch of Ocotillo now, rather than tear it up one more time to widen it, and complete the sidewalk. The HOA has already paid the impact fees to have the sidewalk completed. There will be significant safety concerns when people walk to the shopping center.
2. Another concern is the store delivery hours. The current proposal for deliveries is from 5 a.m. to midnight, they would like to see this changed to 6 a.m. to 11 p.m.

The MAYOR asked staff if the hours for delivery had been defined, and if not in writing would it be an issue.

SENIOR PLANNER JODI NOVAK stated the hours are a verbal expectation and may be included either in the CC&R's, but at this time they have not been set, nor are they in writing otherwise, it would need to be a directive to list it as a zoning stipulation.

The MAYOR asked Transportation & Development Director R.J. Zeder to address the Ocotillo Street improvements. Mr. Zeder stated there is funding in the 10-year Capital Improvement Plan (CIP), but he cannot recall the date those specific improvements are to be made. He did speak with the resident prior to the meeting and will look into the issues they addressed.

In response to a question from VICE MAYOR HEUMANN, Ms. Novak stated trucks would either come southbound on Gilbert Road and turning westbound into the service drive; or, they would go eastbound on Ocotillo Road and then into the first drive aisle. Vice Mayor Heumann noted the back of this store backups to the city water facilities. He noted the scale appears it is 600' to the nearest house. He didn't feel this was as close compared to the one on Germann Road. He asked staff to work with the developer on the hours of deliveries.

MS. PATTEN expressed concern that there is no buffer to decrease lighting or noise pollution from the back of the store into the neighborhood. There is only a six foot wide area of gravel and a few trees. She stated she can currently hear construction work occurring on Gilbert Road.

The VICE MAYOR noted there is a double row of trees along the west side that the neighborhood asked for and that will help when matured. Ms. Patten said concern is with the houses along Kimberly and Coconino. Vice Mayor encouraged staff and the developer to work through these concerns.

PETER SALTONSTALL, 2711 E. Yellowstone Place, Chandler AZ, said more houses will be affected other than those on Coconino. He expressed concern with the Vice Mayor's "cavalier" approach on this development as he felt the noise will still be an issue. The trees will take 5-8 years to mature and felt the buffer distance was 80'.

VICE MAYOR HEUMANN stated he has met with the applicant several times and has asked they work through the concerns addressed. He assured Mr. Saltonstall that he and Council are very involved with the development making sure the impact is as minimal as possible to the surrounding neighbors.

Mayor Tibshraeny stated he would be voting no on Item 14.

THE MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0), WITH THE EXCEPTION NOTED.

1. <u>MINUTES</u>:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Micro Retreat of November 17, 2014.
1b. Regular Meeting of November 17, 2014.
1c. Regular Meeting of November 20, 2014.

2. <u>VACATION:</u> Old Germann Road Right-of-Way Ord. #4565

ADOPTED Ordinance No. 4565 authorizing the vacation of a portion of old Germann Road right-of-way, east of Stearman Drive.

3. REAL PROPERTY EXCHANGE: Alta Steelyard Lofts Ord. #4566

ADOPTED Ordinance No. 4566 declaring certain real property as no longer necessary for use as public roadway (a portion of Frye Road, west of Delaware Street, for the development of Alta Steelyard Lofts); authorizing the exchange of said real property to an abutting property owner for new public roadway; and authorizing the execution of all documents necessary to complete the roadway exchange.

4. EASEMENT: Roosevelt Water Conservation District Ord. #4574

ADOPTED Ordinance No. 4574 granting a no-cost easement for an irrigation facility to the Roosevelt Water Conservation District (RWCD) at Stearman Drive south of Germann Road.

5. EASEMENT: Salt River Project Ord. #4575

ADOPTED Ordinance No. 4575 granting a no-cost power distribution easement to Salt River Project on a portion of Valencia Park.

6. EASEMENTS: Salt River Project Ord. #4581

ADOPTED Ordinance No. 4581 granting two no-cost power distribution easements to Salt River Project (SRP) to provide electricity to Fire Station 281 and an emergency traffic signal on the south side of Pecos Road.

7. EASEMENT ASSIGNMENTS: Salt River Project Ord. #4582

ADOPTED Ordinance No. 4582 authorizing the assignment to Salt River Project (SRP) of a ground easement and an aerial easement acquired by the City of Chandler for the Dobson Road and Chandler Boulevard Intersection Improvement Project; and authorizing the City Manager to execute the assignments.

8. DECREASE IN SETBACK AREA: Ocotillo Water Reclamation Facility Ord. #4584

ADOPTED Ordinance No. 4584 authorizing a decrease in the setback area established in Arizona Department of Environmental Quality (ADEQ) Rule R18-9-B201 (I) for the expansion of the City of Chandler Ocotillo Water Reclamation Facility located on Old Price Road, south of Queen Creek Road.

9. LEASE: Mac-Gray Services, LLC Ord. #4585

ADOPTED Ordinance No. 4585 authorizing a five-year lease with Mac-Gray Services, LLC, for laundry equipment and use of 120-square feet of the building known as the Community Building, 127 N. Kingston Street for a laundry room and authorizing the Community and Neighborhood Services Director to execute the lease.

10. RENEWAL AGREEMENT: Teleport Communications of America, LLC Ord. #4586

ADOPTED Ordinance No. 4586 authorizing a renewal agreement with Teleport Communications of America, LLC, for use of City rights-of-way and public places to establish a Class 4 and 5 Communication System.

11. REZONING: Warner Business Center Office Condominiums Ord. #4587

ADOPTED Ordinance No. 4587, DVR14-0030 Warner Business Center Office Condominiums, rezoning from Planned Area Development (PAD) for office/industrial/warehouse uses to PAD Amended to expand the list of permitted uses on approximately 7 acres located east of the NEC of Arizona Avenue and Warner Road and encompassing the entire Warner Business Center development.

12. REZONING: California and Whitten Ord. #4588

ADOPTED Ordinance No. 4588, DVR14-0027 California and Whitten, rezoning from medium Density Residential District (MF-1) to Planned Area Development (PAD) Multi-family and to PAD Single-family to allow one lot containing a duplex and a single family home to be subdivided into two lots and modify building setbacks. The property is addressed as 464 S. California Street and 221 and 241 W. Whitten Street, SWC of California and Whitten streets.

13. CONTINUED ANNEXATION: SWC Queen Creek Road and Union Pacific Railroad Ord. #4590

CONTINUED TO JANUARY 22, 2015, Ordinance No. 4590, annexation of approximately 18.75 acres located at the SWC of Queen Creek Road and the Union Pacific Railroad to allow the applicant time to coordinate the timing of the annexation to precede more closely with the forthcoming rezoning application.

14. REZONING/PRELIMINARY DEVELOPMENT PLAN: SWC of Gilbert and Ocotillo Roads

MAYOR TIBSHRAENY voted nay on this item.

INTRODUCED AND TENTATIVELY APPROVED (6-1) Ordinance No. 4595, DVR14-0036 SWC of Gilbert and Ocotillo Roads, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Community Commercial with a gas station.
APPROVED a Preliminary Development Plan (PDP) for site layout and building design on property located at the SWC of Gilbert and Ocotillo roads. (Applicant: Mike Withey, Withey Morris PLC.)

GENERAL PLAN CONFORMANCE/REA PLAN BACKGROUND
The General Plan designates this property as Recreation/Open Space, a Commercial Node and as a part of the Southeast Chandler Area Plan (SECAP). The SECAP designates this property as a Commercial Node, Major Entry Gateway and Envisioned Open Space/Recreational Opportunities in accordance with the General Plan. The proposed commercial retail center is in conformance with the General Plan and the SECAP.

BACKGROUND
The approximately 29-acre site is an undeveloped property located at the southwest corner of Gilbert and Ocotillo roads. This property was originally intended to be a City utilities treatment facility; however, it has been determined that there are properties more suitable to accommodate this function. Therefore, the City determined this property could be available for sale and, in March 2014, Council authorized the sale of the property for development as a mix of commercial and residential uses.

The property is bordered on the west by a partially developed collector street, Norman Way, and the Fonte Al Sole single-family residential subdivision. South of the property are the Intel Brine

Ponds which are part of a groundwater and recharge facility. To the east is Gilbert Road and property zoned PAD for commercial. To the north is Ocotillo Road and Maracay Homes' La Esquina single-family residential subdivision. The northeast corner of Gilbert and Ocotillo roads is Layton Lakes' single-family residential subdivision.

The request is to rezone from Agricultural District (AG-1) to Planned Area Development (PAD) for Community Commercial with a gas station and Preliminary Development Plan (PDP) for site layout and building design for a commercial retail center.
At the southwest corner of the property, a planned four-lot residential subdivision is proposed which will be processed through a separate zoning application. The Development Booklet includes information and exhibits for this subdivision representing the intended connectivity with the commercial center.

PRELIMINARY DEVELOPMENT PLAN
The proposed development includes an approximately 123,000-square foot grocery store with a drive-up pharmacy, a gas station with nine fuel dispensers and a 6,880-square foot canopy with a customer service kiosk, and approximately 82,000 square feet of freestanding pads and inline retail shops.

The commercial center's site layout is designed in conjunction with major entrances off of Gilbert and Ocotillo roads, providing access to the main anchor and perimeter pads. The main anchor is oriented facing Ocotillo Road. Buildings are setback from rights-of-way at least 50 feet and greater adjacent to residential zoning. Single freestanding pads and multi-user pads are situated to provide the main anchor view corridors and appropriate parking for each pad.

The development proposes seven pads including drive-through restaurants, retail shops, a bank, and a gas station. The number of pads exceeds the maximum number of one pad per street frontage. The corner pad counts as one of the street frontage pads. The increase in the number of pads is appropriate for a 29-acre commercial center. Existing and approved commercial centers typically range from 10-20 acres and include two to eight pads. The site design provides clustering of pads sharing common architectural detail, materials, and pedestrian connections where possible. All drive-through pads will be required to comply with site development standards for screening and queuing lane design.

A dissimilar landscape buffer and a screen wall is provided along Norman Way adjacent to existing single-family residential. Norman Way will be widened to a full collector street right-of-way of 60 feet. In addition, the buffer includes an 80 to 140-foot building setback and landscaping with a double row of trees and a 6-foot high screen wall. The landscaping and wall continues south to the future residential lots bordering the north and east sides. This creates another buffer from the rear of the shopping center.

Building architecture reflects a southwestern contemporary design with colonnades, sloping roofs, columns, concrete roof tiles, stucco, block and light earth tone paint colors. The architectural style, materials, features, paint colors and the like will be consistent for all buildings and pads including gas station canopy. Building mass is broken up by a functional open space with a seating area between buildings and outdoor patio seating areas. Buildings provide covered entries, varied wall planes and rooflines, interior roof access ladders and interior roof drains.

The development includes freestanding monument signage and building mounted signage. There are three freestanding monument signs along each arterial street frontage for a total of six signs. An intersection corner center identification sign is also proposed; however, it is not included in the exhibits and will be reviewed administratively by Planning Staff. One freestanding monument sign per street frontage is permitted and additional signs may occur for each additional

300 feet of street frontage, not to exceed two detached signs per street. The request is to allow two additional signs and locate signs less than the required 300 feet apart. The Development Booklet includes a comprehensive sign package representing the sign locations and designs.

The application requests the Commercial Design Standards be further designed for Zoning Code compliance with Planning Staff at an administrative review and approval process due to the reduced time frame for zoning entitlements associated with the property's land sale with the City.

Planning Staff is recommending conditions related to site and building design. Through an administrative review process, the applicant will work with Staff to further incorporate site development and Commercial Design Standards such as, but not limited to, building architecture to provide four-sided design with the use of building materials, forms and paint colors including building design for all freestanding pads; provide building elevations for the gas canopy and kiosk; integrate the gas canopy design with building architecture and providing integral/screened gas tank vent piping; pad clustering with common architectural detail, materials and pedestrian connections; enhance entrance drives with common elements associating pads; pedestrian connection from collector street; providing public artwork; and an intersection corner center identification sign. In addition, incorporate a rural character through architectural design and building materials in accordance with the SECAP.

DISCUSSION

The Planning Commission and Planning Staff support the request finding the commercial development meets the intent of commercial design standards; however, needs additional attention to detail and site improvements to further enhance the development. The request for additional freestanding pads and Sign Code waivers, including signage separated less than 300 feet, is appropriate given the site's 29-acre size which has greater street frontage than typically sized 10-15-acre commercial retail centers. The architectural character complements the adjacent single-family residential subdivision. The applicant has worked with adjacent residential neighbors and Fonte Al Sole Homeowners' Association (HOA) for many months to address their concerns and design comments. A primary request was to eliminate vehicular access to the shopping center from Norman Way. The site plan was changed to eliminate this access and provide a substantial landscaping with screen wall buffer. The planned residential component was reduced from numerous lots to four lots, one of which is a recreational lot intended for use by the adjacent HOA. A determination as to whether to keep the recreational lot or develop a home on it is still being discussed with the adjacent HOA as well as whether or not to provide a pedestrian connection from Norman Way. The applicant continues to work with the adjacent neighbors and HOA.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the City of Chandler Zoning Code with a neighborhood meeting being held on November 5, 2014. Twenty-four neighbors were in attendance. Questions were asked regarding direct pedestrian access from Fonte Al Sole, architectural design, the shopping center name, buffer from residential, the gas station and plans for the residential lots. Most of the attendees were in support of the project. Others conveyed they were not in support of the architectural design, concerns for hazards related to a gas station, concerns with pedestrian access to and from the neighborhood and the residential component's recreational lot being noisy and creating problems. The applicant continues to work with representatives of the HOA. The applicant is determining if a pedestrian access will be provided off of Norman Way and if the recreational lot will instead become a home lot pending further discussion with the HOA.

The applicant met with representatives of the Fonte Al Sole subdivision on five different occasions in addition to phone calls prior to the November neighborhood meeting.

Planning Staff has received a few phone calls from area homeowners in the Fonte Al Sole and Arizona Country residential subdivisions to the west wanting information about the proposed commercial center. Questions were asked regarding who the grocery store company is; if there was a gas station, what road improvements would be occurring; timing of development; pedestrian access from Fonte Al Sole into the shopping center and the type of screening and landscaping adjacent to Fonte Al Sole.

Planning Staff is currently not aware of any neighborhood opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5 – 0 with Commissioner Ryan abstaining and Commissioner Foley absent

The Planning Commission reviewed a recommendation to replace PDP Condition No. 16 with a new condition. Condition No. 16 read, "Incorporate a pedestrian connection from the adjacent Norman Way collector street". However, the Fonte Al Sole HOA no longer wants pedestrian access for their residents. In response, this condition was being replaced with a request from residents for the grocery store to provide at least two rows of parking shade canopies in the parking lot. The grocery store representative did not support having this zoning condition and further spoke with the Fonte Al Sole HOA representative at the Commission hearing. They determined a condition was not warranted and requested it be removed. PDP Condition No. 16 is recommended for deletion.

Two people spoke on this item. One area resident conveyed they were initially opposed to this development request at the time of a Request for Proposal (RFP); however, they have had on-going communication with the development team and have had a positive experience. They continue a dialogue with the development team and support this project. The other speaker requested Commission adopt a sustainability checklist and request developments submit an itemized list of what is sustainable within the project.

RECOMMENDED ACTIONS
Rezoning
Upon finding consistency with the General Plan and Southeast Chandler Area Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
Upon finding consistency with the General Plan and Southeast Chandler Area Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "SWC GILBERT AND OCOTILLO ROADS" kept on file in the City of Chandler Planning Division, in File No. DVR14-0036, except as modified by condition herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
3. Landscaping shall be in compliance with current Commercial Design Standards.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. The site shall be maintained in a clean and orderly manner.

7. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
8. The monument sign's sign panels have an integrated or decorative cover panel until a tenant name is added to the sign.
9. Raceway and animated signs shall be prohibited within the development.
10. The freestanding pads shall carry an architectural level of detail similar to front facades of main building.
11. The applicant shall work with Planning Staff to further incorporate site development and Commercial Design Standards such as, but not limited to, building architecture to provide four-sided design with the use of building materials, forms and paint colors including building design for all freestanding pads.
12. All buildings shall incorporate rural character through architectural design and building materials in accordance with the Southeast Chandler Area Plan.
13. All pads and free-standing shops buildings will be designed to meet site development standards related to clustering of pads through sharing of common architectural detail, materials, and pedestrian connections including, but not limited to, the use of a combination of common landscape, hardscape, paint colors, materials, and/or architectural elements.
14. The applicant shall work with Planning Staff to enhance entrance drives with common elements associating pads.
15. The applicant shall work with Planning Staff to provide building elevations for the gas canopy and kiosk, integrate the gas canopy design with building architecture, and provide integral/screened gas tank vent piping within the canopy columns.
16. Delete.
17. An intersection corner center identification sign shall comply with Sign Code and be architecturally integrated with the commercial center.
18. The applicant shall work with Planning Staff to incorporate public artwork within the development.
19. All drive-through pads shall meet site development standards for screening and queuing lane design.
20. The residential component shall be reviewed and approved through a separate Rezoning with Preliminary Development Plan application.

15. PROJECT AGREEMENT: SDB, Inc.

APPROVED Project Agreement No. ST1507.401 with SDB, Inc., for construction services for Queen Creek/McQueen Roads Intersection Repairs, pursuant to Job Order Contract No. JOC1201.401, in an amount not to exceed $110,001.00.

Prior to October 28, 2014, visual observation of the existing concrete intersection and roadway along the southbound lanes of McQueen Road, north of Queen Creek Road, revealed water coming up between the existing concrete roadway panels and in the gutter along the west side of McQueen Road. Staff determined that water source was a leaking Salt River Project (SRP) irrigation line that crosses McQueen Road. It was also determined that voids existed within the subgrade under the concrete roadway. The southbound curb lane of McQueen Road, north of Queen Creek Road, has been closed since that time due to the voids under the roadway.

SRP irrigation crews stopped the water in the existing irrigation line and repaired the leaking pipe. No water has been observed since the SRP repairs were completed. However, concrete panels and subgrade need to be repaired.

Under City Code Section 3-13.3, the City Manager has authorized emergency procurement of services with SDB, Inc., one of its Job Order Contracting contractors, to perform the repairs. The project scope includes demolition, removal and replacement of the damaged concrete roadway.

City Staff has been in regular communication with SRP regarding this issue and will seek full reimbursement for any expenses incurred.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

Mayor announced Current Events would be announced at Thursday's regular Council meeting.

Adjournment: The meeting was adjourned at approximately 7:24 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: January 8, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 8th day of December 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12 day of January 2015.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, December 11, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:00 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Rick Heumann	Vice-Mayor
	Trinity Donovan	Councilmember
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Jack Sellers	Councilmember
	Jeff Weninger	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Tyronne Stowe led the invocation.

PLEDGE OF ALLEGIANCE: Mayor Tibshraeny led the Pledge of Allegiance.

Vice Mayor Heumann requested Staff to provide a brief presentation on item No. 54.

MS. KIM MOYERS, Downtown Redevelopment Manager explained the 4.5 acre site received five proposals and through a selection process, Vintage Partners was selected. Included in this Phase 1 of development is a proposal for 62,000 square feet of retail including restaurants. The anchor will be an Alamo Draft House Cinemas, the first in the state, from a company from Austin, Texas. She added that Vintage Partners currently has Letters of Intent with three restaurants: The Vig, La Boca, and Modern Margarita. Phase 1 is on a fast track for completion by December 2015. Paying homage to the original movie theater here in Chandler, will be a sky bridge to the new theater appropriately named the Row, for the Rowena Theater.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER DONOVAN, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

VICE MAYOR HEUMANN AND COUNCILMEMBER HARTKE STATED THEY WOULD BE VOTING NAY ON ITEM NO. 7.
MAYOR TIBSHRAENY STATED HE WOULD BE VOTING NAY ON ITEM NO. 1.

The Mayor stated he had eight cards in support of agenda Item number 4, no one requested to speak.

MOTION CARRIED UNANIMOUSLY (7-0), with the exceptions noted.

1. REZONING: SWC of Gilbert and Ocotillo Roads Ord. No. 4595

MAYOR TIBSHRAENY VOTED NAY.

ADOPTED (6-1) *Ordinance No. 4595, DVR14-0036 SWC of Gilbert and Ocotillo Roads, rezoning from* Agricultural District (AG-1) to Planned Area Development (PAD) for Community Commercial with a gas station.

2. INITIAL CITY ZONING: Southwest Corner of Ocotillo Road and the Union Pacific Railroad Ord. No. 4591

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4591, DVR14-0037 Southwest Corner of Ocotillo Road and the Union Pacific Railroad, establishment of initial City zoning of Agricultural (AG-1) on a City-owned parcel of approximately 3,920 square feet located at the SWC of Ocotillo Road and the Union Pacific Railroad. (Applicant: City Initiative.)

BACKGROUND

The subject property is approximately 4,000 square feet in size, is owned by the City and is planned to be used as a City well site. The annexation of the subject parcel was recently processed together with a larger area including the intersection of Ocotillo Road and the Union Pacific Railroad. Abutting the parcel to the south is a 2,500-square foot City-owned parcel, previously annexed, that will be part of the well site. Wrapping around the well site to the south and west, is a property that recently received preliminary development plan approval for the development of Dominion Chandler Self Storage (PDP14-0001).

In accordance with the following statute, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the previous RU-43 zoning in the county. Arizona Revised Statute §9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

Council held a public hearing to annex the subject property on August 14, 2014, and subsequently adopted Ordinance No. 4559 annexing the subject parcel on November 17, 2014.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed according to the provisions of the City of Chandler Zoning Code.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Foley absent.

RECOMMENDED ACTION
Upon finding consistency with Arizona Revised Statutes, the Planning Commission and Planning Staff recommend approval.

3. REZONING/PRELIMINARY DEVELOPMENT PLAN: Avilla Homes Ord. No. 4593

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4593, DVR14-0020 Avilla Homes, rezoning from Regional Commercial (C-3) zoning to Planned Area Development (PAD) for High Density Residential.
APPROVED a Preliminary Development Plan (PDP) for site layout and building design on property located at the NEC of Warner Road and Grace Boulevard, west of Arizona Avenue. (Applicant: Brennan Ray, Burch & Cracchiolo, P.A.)

GENERAL PLAN CONFORMANCE

The General Plan designates this property under the Revitalization/Infill Growth Area and Commercial Node categories, which allows a range of residential densities from low to high density. The proposed 12.3 du/acre falls within the High Density Residential category, 12 to 18 du/acre. High density residential is considerable adjacent to arterial streets and high capacity transit corridors such as Arizona Avenue.

The residential land uses serve as a transitional use to existing single-family homes, public charter schools and a retail center. The proposed one-story flat-roof buildings provide minimal visual impact next to established residential homes.

BACKGROUND

The approximately 15-acre subject site is located at the northeast corner of Warner Road and Grace Boulevard, west of Arizona Avenue. This property encompasses the former Food 4 Less grocery with gas station which became a Swap Mart store, Spot Free Car Wash pad, inline retail shops and movie theater. The Avilla Homes development wraps around the remaining building occupied by public charter schools Vector Prep and Arts Academy K-6th and AZ Compass Pre School 9-12th. The intersection of Warner Road and Grace Boulevard is developed with the SRP Wood Electric Substation and the Arbolane single-family residential at the northwest corner. The southwest corner is the Sunstone townhome residential subdivision. The southeast corner is the Palm Court retail center. East of the subject site is Jolies Place bar and restaurant.

The request is to rezone the site from Regional Commercial District (C-3) to Planned Area Development (PAD) for High Density Residential along with a PDP for site layout and building design for a multi-family development.

Avilla Homes is a new form of residential living that is a gated multi-family residential development and is far from traditional. There are no multi-story buildings. The development includes 194 individual units that are all one-story and detached except for approximately 23 units that are a two-pack; two units attached. The individual, single-story units provide an opportunity for lessees to be a part of an urban residential setting with a single-family style and feel. Building placement, adjacency to arterial streets, and use of open space represents an urban lifestyle.
There are common open spaces within the development and amenities including a community pool and spa. The primary entry is off of Grace Boulevard north of Warner Road, which is enhanced with Fan Palm trees. Grace Boulevard circulates around the property providing access to Warner Road and Arizona Avenue. A second entry/exit is located off of Grace Boulevard on the development's north side toward Arizona Avenue.

ARCHITECTURAL AND SITE DESIGN

There are three building/unit types based on the number of bedrooms. Unit sizes range from approximately 635 square feet to 1,244 square feet in building area. Each unit has a private yard space in lieu of typical private open space such as patios. Building Type 1 is a 1-bedroom unit; however, there are two units attached side-by-side. Building Types 2 and 3 are individual units. Private yard space ranges from 212 to 358 square feet based on the size of the unit; larger units have greater sized yards. The private yard area is approximately 8 feet deep and cordoned off by a 5'4" masonry wall typically the width of the unit itself.

Buildings are designed with a "Desert Contemporary" style with desert earth tone paint colors and modern-contemporary elements. These units have a different exterior style than those at the Arie developments (NWC and NEC of Pecos and Alma School roads) providing distinctive communities. The buildings incorporate stone columns highlight unit entries and courtyards. Horizontal architectural elements are designed to create shade by windows and doors in addition to recessed window areas. Building facades vary in height and depth incorporating pop-out elements such as horizontal wall planes. Paint colors enhance wall planes creating sections and defining shapes. Each unit has a flat roof with parapets used for mechanical equipment screening.

The units are sited in groups that create pedestrian circulation and courtyards. In a couple of locations, decorative seat walls are located along primary pedestrian walkways. The rear yard spaces abut one another on interior units and back up to street frontages and the site's perimeter.

The perimeter landscaping includes non-deciduous trees with a desert landscaping theme. Gravel and turf landscaping is provided along street frontages. The intersection landscape area is defined by a corner project identification sign with a decorative wall and plant pots.

Parking is provided by a mix of garage buildings, covered parking spaces and uncovered parking spaces. A looped drive with one interior drive provides accessibility to all units and amenities. A total of 380 parking spaces are provided.

The Planning Commission and Planning Staff support the represented designs as the project site layout and building type provide a creative environment for a residential community. The project includes detached units, courtyards, private rear yard spaces that abut other rear yards similar to single-family lots and offers an urban environment lifestyle that does not lend itself to typical building setbacks, open space and signage.

DISCUSSION

The Planning Commission and Planning Staff are of the opinion that the multi-family residential development furthers the City's goal to promote new development, alternative forms of housing, urban forms, creative and unique developments, and compatible land uses adjacent to existing single-family residential and commercial. The development meets the intent of the Multi-Family Residential Development Standards including architecture, site design and landscaping, while incorporating attractive site wall and entry monument features. The proposed detached residential units with private rear yard spaces and pedestrian scale courtyards are appropriate as it offers a different product type for north Chandler.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 13, 2014. There were 10 area property owners in

attendance in support of the project. A resident conveyed concerns with increased traffic on Grace Boulevard. The applicant has worked with the adjacent Mirage Manor residential condominiums to abandon and acquire a private street, Mariposa Street, which will alleviate cut-through traffic and maintenance.

Planning Staff has received a couple of telephone calls from residents interested in the project and one wanting a City traffic signal installed at Arizona Avenue and Grace Boulevard concerned about increased cars on Grace Boulevard.

Planning Staff is aware of two residents in opposition who spoke at the Planning Commission hearing.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Foley absent.

The Planning Commission discussed this project's differing architecture including building materials, forms and colors that enhance each unit with Planning Staff. This quality design distinguishes this development from similar projects. The Planning Commission recommended adding Condition No. 5 regarding architectural design on rear elevations. Commission comments included happy to see the site redevelop, concern with the building designs and overall appearance from street views, would have preferred higher density residential, what are building design differences from existing projects, enhance the rear elevations with additional roofline variation, materials and alternate look from building to building. Planning Staff has added Condition No. 5 to the Preliminary Development Plan conditions.

Two area residents spoke. One resident is opposed to the development and stated the architectural appearance was institutional in nature. The other resident has concerns about construction debris and dust in the neighborhood as well as increased traffic at the Warner Road and Grace Boulevard traffic light.

RECOMMENDATIONS

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend rezoning approval subject to the conditions listed in the ordinance.

Preliminary Development Plan:
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "AVILLA HOMES", kept on file in the City of Chandler Planning Services Division in File No. DVR14-0020 except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
4. Sign packages, including freestanding signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements,

and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

5. The applicant shall work with Planning Staff to enhance the rear building elevations along Grace Boulevard and Warner Road.
6. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

4. REZONING/PRELIMINARY DEVELOPMENT PLAN: St. Juan Diego Catholic Church
Ord. #4594

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4594, DVR14-0024 St. Juan Diego Catholic Church, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for a church.
APPROVED a Preliminary Development Plan (PDP) for site layout and building design on property located at the NWC of Cooper Road and Markwood Drive, south of Queen Creek Road. (Applicant: David Arambula, Phoenix Design Group.)

BACKGROUND
The approximately 10-acre subject site is located at the northwest corner of Cooper Road and Markwood Drive, south of Queen Creek Road. This property is surrounded by undeveloped commercial zoned land to the north, offices to the northwest, rural residential lots and Markwood Drive to the south, and an undeveloped custom home subdivision to the southwest. East of Cooper Road is the SRP Cooper Electrical Substation and single-family residential.

The request is to rezone the site from Agricultural (AG-1) to Planned Area Development (PAD) for a church with PDP for site layout and building design. St. Juan Diego Catholic Church is a regional church capable of seating approximately 1,200 people at a single service. There are typically four services held on Sunday and one on Saturday with other events and meetings held throughout the week.

The building architecture is a southwest historical interpretation including clay tile roofs, stucco walls, simple trim detailing and paint colors. The site design includes an outdoor courtyard gathering space with a rose garden between Phases 1 and 2.

Vehicular access is provided off of Cooper Road and Markwood Drive. The site has appropriate parking at 594 spaces. One freestanding monument sign is proposed along Cooper Road which is architecturally designed to match the church

GENERAL PLAN CONFORMANCE/AREA PLAN BACKGROUND
The General Plan designates this property as Residential and as part of the Airpark Area Plan. The Airpark Area Plan designates this parcel as Rural Residential with a Transitional Overlay Zone to commercial use and abuts Neighborhood Commercial. The proposed church use is in conformance with the General Plan and Airpark Area Plan.

AIRPORT COMMISSION RECOMMENDATION
The Airport Commission reviewed the Area Plan amendment and Rezoning request in accordance with the Airport Conflicts Evaluation Process. A conflicts evaluation report was issued indicating that

the Airport Commission determined the proposed development does not constitute a conflict with existing or planned airport uses.

DISCUSSION
The Planning Commission and Planning Staff are of the opinion that the church use is a compatible land use adjacent to existing residential areas and planned commercial. The site is designed to coincide with existing and planned median breaks along Cooper Road. The architecture and landscape palette complement existing landscaping along Cooper Road.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 21, 2014. There was one area property owner in attendance inquiring about the proposal. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5 – 0 with Commissioner Ryan abstaining and Commissioner Foley absent.

RECOMMENDATIONS
Rezoning
Upon finding consistency with the General Plan and Airpark Area Plan, the Planning commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
Upon finding consistency with the General Plan and Airpark Area Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "ST. JUAN DIEGO CATHOLIC CHURCH", kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0024, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
4. Sign packages, including freestanding signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
5. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

5. REZONING/PRELIMINARY DEVELOPMENT PLAN: Element Hotel Ord. #4596

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4596, DVR14-0026 Element Hotel, rezoning from Planned Industrial (I-1) to Planned Area Development for a hotel and commercial uses.

APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture, along with Mid-Rise Overlay for building height exceeding forty-five feet on 3.4 acres. The site is located south of the SWC of Chandler Boulevard and Chandler Village Drive. (Applicant: Adam Baugh; Withey Morris PLC.)

BACKGROUND

The subject site is located south of the southwest corner of Chandler Boulevard and Chandler Village Drive. Along the site's north and west is the recently approved Met multi-family residential development that is currently under construction. South of the site are a residential treatment facility and single-family homes.

The site was zoned in 1979 to I-1 as part of a larger industrial park. With the exception of three smaller industrial flex buildings located west of Hearthstone Way, the industrial park has never come to complete fruition. With the approval of The Met residential project north and west of the site, industrial development of the site is unrealistic and inappropriate giving the surrounding uses. The request is to rezone the property to PAD for a hotel with Preliminary Development Plan approval for site layout and building architecture, along with Mid-Rise Overlay for a maximum building height of sixty feet for the hotel, along with PAD for commercial for the outparcel that occupies the remainder of the site.

SITE LAYOUT/ARCHITECTURE

The four-story, 107-room hotel is placed at a slight angle along an east west plane. The main entry drive is located at the site's northeastern corner with the hotel's entrance via a porte-cochere along the eastern portion of the building. The area surrounding the porte-cochere will be formally landscaped along with a pedestrian-oriented water feature providing a sense of arrival.

The layout of the hotel is in a backwards 'L' design with the building opening to the south, with the intention of keeping the mass of the hotel as far from the single-family residential homes to the south of the site. Additionally, through the review process, the applicant has increased the landscape buffer along the sites southwest property line three and one-half feet, and will be constructing an eight-foot wall along the property boundaries where there are existing single-family homes. An eight-foot wall currently exists along the boundary shared with the residential treatment facility. An outparcel is provided along the Chandler Village Drive frontage, and is anticipated to develop with support service commercial uses whether that be a restaurant, drive-thru, or combination of inline shop spaces. The commercial parcel will require separate Preliminary Development Plan review and approval; however, is part of the rezoning request.

Architecturally, the hotel presents a modern design. Vertical and horizontal massing elements are included to provide visual interest to the building. Massing is further addressed by means of varying parapet heights and wall colors. A wood element is included as an accent element that frames various massing portions. Larger wall expanses are addressed by means of a change in scoring patterns and window layout. Mid-Rise Overlay is requested for additional building height up to sixty feet. As proposed, the building height, exclusive of architectural ornamentation, is slightly below fifty-feet; however, Planning Staff is recommending the Mid-Rise Overlay for up to sixty-feet to ensure all mechanical equipment is sufficiently screened. Planning Staff is supportive of the request for Mid-Rise Overlay.

A single monument sign is proposed just south of the northern entrance along Chandler Village Drive. The monument sign includes a major panel for the hotel and four smaller tenant panels that would be utilized for the future commercial pad. While the future tenant panels state 'Logo', the intent is that the area would reflect the business name. The design of the sign incorporates elements from the hotel design including the exterior trespa panels reflecting the wood grain and metallic designs. As currently shown, the color of the sign is reflective of the corporate green; however, the sign will be the burnt ash color as found on the main body of the hotel.

DISCUSSION

The Planning Commission and Planning Staff support the Rezoning, PDP and Mid-Rise Overlay request citing that the use and design representations are consistent with the General Plan and surrounding area. Furthermore, the proposal successfully adds a hotel user new to the area and develops a site with relatively difficult design restraints that would pose a difficult opportunity to other types of commercial development.

A request for deviation from the commercial design standard requiring that commercial development be separated from single-family residential by 25 feet plus one foot for every foot of building height is requested. In this case, the building would need to be setback 82 feet, whereas a separation of 65 feet is provided. As mentioned, landscaping was increased along the southwestern boundary to soften the expanse between the building and property line. Additionally, the design team oriented the hotel building such that the area that encroaches into the separation area is the stair tower and the majority of the rooms and massing is located along the north property line adjacent to the four-story Met development.

Lastly, with the design of hotels, wall planes can become monotonous due to the layout of rooms. While the design team has included elements to break up wall planes, Planning Staff has some minor concerns with the grid pattern and level of sameness with the current window configuration. Planning Staff is recommending a condition requiring additional work on design elements to integrate additional interest in the window configuration.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Two neighborhood meetings were held due to the request for Mid-Rise Overlay. The first meeting was held on September 10, 2014, with three neighbors in attendance. The second meeting was held on October 7, 2014, with two neighbors in attendance. Overall support for the project was provided. Planning Staff has received letters of support from the property owners southwest and south of the site. Planning Staff received a phone call from the gymnastic facility west of Hearthstone Way seeking additional information. The caller did not express any concerns with the request.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioner Foley absent and Commissioner Ryan abstaining.

RECOMMENDATIONS

Rezoning

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "ELEMENT HOTEL" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0026, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. The applicant shall work with Planning Staff to incorporate additional architectural interest on the elevations to break-up monotonous wall plane designs specific to the current window configuration.
3. Landscaping shall be in compliance with current Commercial Design Standards.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
7. Sign packages, including freestanding signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
8. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
9. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.

6. REZONING/PRELIMINARY DEVELOPMENT PLAN: DC Heights Ord. #4597

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4597, DVR14-0032 DC Heights, rezoning from Multi-Family (MF-2) to Planned Area Development for a mixed-use residential and commercial development.
APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture, along with Mid-Rise Overlay for building heights exceeding forty-five feet on 5.3 acres located at the SWC of Commonwealth Avenue and California Street. (Applicant: Mike Perry; Whitneybell Perry, Inc.)

BACKGROUND
The 5.3-acre subject site is located at the southwest corner of Commonwealth Avenue and California Street. The site encompasses the area between Commonwealth Avenue and Boston Street, from California Street to Essex Street on the west end; Dakota Street bisects the site. North of the site is the San Marcos Hotel; west are a single-family home and a golf academy as part of the San Marcos Hotel. On the south side of Boston Street are single-family homes with an MF-2 zoning designation.

The subject site has a long zoning history stemming back to when the lots were platted in 1912 as part of the establishment of Chandler. Various structures on the site have been demolished over the years with the site being completely cleared earlier this year.

GENERAL PLAN/AREA PLAN

The General Plan designates the subject site as located within the South Arizona Avenue Corridor Area Plan (SAZACAP). The Area Plan labels the site as a Future Growth Area. The intention of the Future Growth Area was to encourage further exploration in appropriate land uses with options for residential development, or as an expansion of the Cultural and Entertainment district that currently includes Site 6 and the block south of Site 6 that is flanked by Arizona Avenue and Oregon Street. Within the Cultural and Entertainment designation, residential development is considerable and is anticipated to incorporate a mixed-use type design. Specific density ranges are not provided in the categories; however, it was anticipated that residential development would occur in a high-density fashion. The rezoning request is consistent with the General Plan and SAZACAP.

SITE LAYOUT

Two residential structures are proposed. The main structure occupies the block of Commonwealth Avenue, Boston Street, Dakota Street and California Street with the building masses being adjacent to the street frontages; residential parking is provided interior to the site, as well as along the street frontages. The western portion of the development is designed in a 'U' fashion opening towards the west, allowing for the continued building presence along the street frontage that the eastern building creates. The western boundary of the development includes the existing Essex Street; however, through the development review process, Essex Street will be vacated, which in turn will allow Essex Street to be repurposed as outdoor space creating a buffer between the development and the properties to the west. Access into the development is provided along Dakota Street with a secondary access point at the west end of Boston Street and along Commonwealth Avenue.

A total of 158 units are proposed with options for up to 250 units. The 158 units include seven studio units, 85 one-bedroom units and 65 two-bedroom units The units range in size from 441 sq. ft. for the micro studio, up to 1,375 sq. ft. for the two-bedroom units. Options are provided in the development booklet allowing the northeast portion of the development to increase heights up to 8-10 stories with a maximum building height up to 130 feet, resulting in approximately 100 additional units. In the event the additional units are constructed, parking will be addressed by increasing the internalized parking area by providing a parking deck. Representative elevations are provided in the development booklet for the purpose of seeking administrative review and approval in the event the option is exercised. Planning Commission and Planning Staff are comfortable with the representations and the ability for future administrative review.

ARCHITECTURE

Design strategies for higher-density type development were provided both within the SAZACAP, and within the South Arizona Avenue Design Guidelines that were approved in 2010. While specifics were not provided on a site-by-site basis, the spirit of the guidelines was to create strong urban development by actively engaging a pedestrian experience.

The development team has paid special attention to detail and the pedestrian experience in the overall design of the development. Massing is well articulated through the change of wall planes, by use of materials, integration of different outdoor patio designs, colors, metal overhangs, balconies and vertical and horizontal elements. The ground floor is designed with higher ceilings allowing for

conversion of some units to commercial uses that would be analogous to boutique/specialty retail uses with the allowance for restaurants, office and support services.

Attention to the massing of the building has been taken into consideration. Roof parapets provide movement along a horizontal plane. Additionally, with the rooftop outdoor amenity area with the angled roof line, additional interest to the skyline is provided. The development includes a Mid-Rise Overlay request for additional building height up to 130 feet for the potential 8-10 story tower.

DISCUSSION

The Planning Commission and Planning Staff support the request. The Area Plan encourages development at this location to occur in a vertical fashion while integrating the potential for a mixed-use component. With the proximity to the designated Urban Commercial components in the Area Plan, the development will encourage future development and support existing development in the area. Furthermore, with the public right-of-way building engagement, internalized on-site parking, and adjacent on-street angled parking provides the desired urban sense of place, all while providing a significant re-development catalyst for Downtown Candler.

Planning Staff inadvertently omitted a condition regarding commercial uses and the proposed live/work ground floor units. Planning Staff has added Condition No. 8 of the Rezoning Recommended Action.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Due to the request for Mid-Rise Overlay, two neighborhood meetings were held. The first meeting was held on November 3, 2014, and was attended by ten residents.

The second meeting was held on November 5, 2014, and was attended by six residents. In general, the neighbors were supportive of the request. Staff has heard from two neighbors that live south of the site in support of the request.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioner Foley absent and Commissioner Ryan abstaining.

RECOMMENDED ACTIONS

Rezoning

Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval of DVR14-0032 DC HEIGHTS, Rezoning from Multi-Family (MF-2) to Planned Area Development for a mixed-use residential and commercial development, including Mid-Rise Overlay for building height up to 130-feet, subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths, including tum lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The

aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual# 4).
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
6. Development shall be in substantial conformance with the Development Booklet, entitled "DC HEIGHTS" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0032, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
7. Maximum building height shall be 130-feet.
8. The ground floor live/work units shall allow those commercial uses analogous to boutique/specialty retail uses with the allowance for restaurants, office, and support services.

Preliminary Development Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval of DVR14-0032 DC HEIGHTS, Preliminary Development Plan approval for site layout and building architecture, subject to following conditions:

1. Landscaping shall be in compliance with current Commercial Design Standards.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
4. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
5. Development shall be in substantial conformance with the Development Booklet, entitled "DC HEIGHTS" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0032, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
6. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.

7. REZONING: Modern Storage Ord.#4598

VICE MAYOR HEUMANN AND COUNCILMEMBER HARTKE VOTED NAY.

INTRODUCED AND TENTATIVELY APPROVED (5-2) Ordinance No. 4598, DVR14-0035/PPT14-0017 Modern Storage, rezoning from Planned Area Development (PAD) for Community Commercial District (C-2) uses to PAD for C-2 uses and Self-Storage/Mini-Warehouse, subject to the conditions as recommended by Planning Commission and Planning Staff.
PRELIMINARY DEVELOPMENT PLAN:
APPROVED DVR14-0035 MODERN STORAGE, Preliminary Development Plan for site design and building architecture for a self-storage facility, subject to the conditions as recommended by Planning Commission and Planning Staff.
PRELIMINARY PLAT:
APPROVED Preliminary Plat PPT14-0017 MODERN STORAGE, subject to the condition recommended by Planning Commission and Planning Staff.

BACKGROUND
The approximate 4-acre site is located at the southeast comer of Arizona Avenue and Germann Road. Germann Road abuts the property's north side with an existing Circle K gas station located north of Germann. Arizona Avenue abuts the property's west side. South of the subject site is an existing bar and gentlemen's club located within Maricopa County. To the east is an existing industrial glass and steel business also located within Maricopa County.

The General Plan designates the subject site as Employment allowing major employers, industrial/business parks, and industrial support uses, as well as located within the Chandler Airpark Area Plan. The Chandler Airpark Area Plan designates the subject site as Commercial/Office/Business Park permitting uses that include but are not limited to the proposed self-storage uses. The proposed rezoning is consistent with the General Plan and Chandler Airpark Area Plan.

The subject site received zoning approval in early 2008 for a commercial retail development including a fast-food restaurant and an inline retail shops building. Construction never commenced. The request is to rezone the subject site from Community Commercial District (C-2) uses to PAD for C-2 uses and Self-Storage/Mini-Warehouse, with Preliminary Development Plan (PDP) and Preliminary Plat (PPT) approval for a Self-Storage facility.

The self-storage facility will include a 77,879 square-foot single story 'Building A' that provides primarily interior loaded climate-controlled units, as well as a series of exterior loaded units. Additionally, the south and east property lines are screened through the use of a 17,417 square- foot 'Building B' that includes internal-facing exterior loaded units. The larger building is located within a landscaped setting along Germann Road, with the primary entrance oriented towards Arizona Avenue. A secondary exit-only gated entrance is located along Germann Road. The Arizona Avenue frontage is highlighted with a significant use of turf accented by Date Palm trees flanking the entrance and building. The building architecture conveys a strong contemporary style not commonly found on self-storage facilities. The Arizona Avenue frontage includes a significant use of dynamically articulated fa9ade elements, accented by metal

elements and Italian Cypress trees. The Germann Road frontage provides an appropriate transition to the industrial business park environment that surrounds the site.

Finally, the request includes a comprehensive sign package. Building mounted signage is proposed as individual mounted standard or reverse pan-channel lettering. A single freestanding monument sign is proposed for each street frontage. The sign includes an architectural design reflective of the building, as well as individual mounted standard or reverse pan-channel lettering.

AIRPORT COMMISSION
The Airport Commission reviewed the rezoning request in accordance with the Airport Conflicts Evaluation Process.
The Airport Administrator has issued a conflicts evaluation report indicating that the Airport Commission determined the proposed rezoning and associated uses do not constitute a conflict with existing or planned airport uses.

DISCUSSION
Planning Staff supports the request. While Planning Staff does not traditionally encourage processing a 4-acre stand-alone development, the subject site's existing adjacent uses located within the County prohibit a more traditional larger development. The applicant has done a good job utilizing the building orientation to effectively screen the adjacent existing more industrial- based uses that surround it. A minor building setback encroachment is requested for a portion of the building along Germann Road. Planning Staff supports the encroachment finding the building's design, and landscaped setting meritorious.

PUBLIC / NEIGHBORHOOD NOTIFICATION
The request was noticed according to the provisions of the City of Chandler Zoning Code. A neighborhood meeting was held on October 2, 2014, at the Tumbleweed Recreation Center. Four neighboring property owners attended the meeting. No one offered opposition to the request.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5 – 0 with Commissioners Wastchak abstaining and Foley absent.

RECOMMENDED ACTION
Rezoning
Upon finding consistency with the General Plan and Chandler Airpark Area Plan, Planning Commission and Planning Staff recommend approval of the Rezoning from Planned Area Development (PAD) for Community Commercial District (C-2) uses to PAD for C-2 uses and Self-Storage/Mini- Warehouse, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "MODERN STORAGE" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0035, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Construction shall commence above foundation walls within three (3) years of the

effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of- ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals or as otherwise approved in a development agreement.
5. Unless otherwise included as part of the City's Capital Improvement Program, the developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

Preliminary Development Plan

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend approval of the Preliminary Development Plan request subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "MODERN STORAGE" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0035, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of- way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

Preliminary Plat

Planning Commission and Planning Staff recommend approval of the Preliminary Plat, subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

8. IGA: Regional Public Transportation Authority Res. No. 4816

ADOPTED Resolution No. 4816 authorizing an Intergovernmental agreement (IGA) with Regional Public Transportation Authority (RPTA) to provide Fixed Route Bus Service, Dial-A-Ride, and Ride Choice programs for Fiscal Year 2013-2014, in an amount of $355,919.

BACKGROUND/DISCUSSION: For Fiscal Year 2013/2014 the City of Chandler and RPTA entered into amendments relating to three (3) separate transit services for the provision of transit service for the fiscal year beginning July 1, 2012. For Fiscal Year 2013/2014 it was RPTA's desire to consolidate the three (3) existing amendments into a single IGA for the purpose of obtaining transit services for City of Chandler. These costs are the final reconciliation for Fiscal Year 2013/2014.

This IGA is for a five-year term with RPTA for the provision of transit service through June 30, 2018. Each year an amendment is made to adjust for operating costs and service levels.

Fixed Route Bus Service: There are thirteen (13) bus routes that operate within the City of Chandler. These include ten (10) local fixed routes, two (2) express routes, and one (1) LINK bus route. Chandler's bus service is funded by three different funding sources: Public Transportation Funds (PTF), City funds (General Fund), and City Local Transit Assistance Funds (LTAF) as shown in the Table below. In Fiscal Year 2013/2014 the City and LTAF funded 45,394 miles and PTF funded 916,382 miles. The total cost of Fixed Route Bus Service for Fiscal Year 2013/2014 is listed below in Table 1.

East Valley Dial-A-Ride: Dial-A-Ride provides door-to-door, shared-ride public transportation services for senior citizens and persons with disabilities. In Fiscal Year 2013/2014 a total of 47,130 trips were provided for a total cost listed below in Table 1. Proposition 400 funds covered the cost of service for persons with disabilities in accordance with the Americans with Disabilities Act (ADA).

Ride Choice: The Ride Choice program offers additional transportation options for seniors and persons with disabilities. This program offers participating residents more flexibility and helps minimize the City's cost for Dial-A-Ride. Participants use a reloadable card and can purchase up to $100 in value for $25 each month. This program is funded with grant funding and City funds. A total of 5,341 trips were provided using the Ride Choice program for a total cost listed below in Table 1.

	LTAF	City General Fund	Grand Fund	Prop 400 Public Transportation Fund (PTF)	Totals

Fixed Route Bus Service	$129,131	$37,500		$3,679,628	$3,846,259
East Valley Dial-A-Ride	$55,686	$92,873		$1,150,000	$1,298,559
Ride Choice		$40,729	$40,354		$81,083
Totals	$184,817	$171,102	$40,354	$4,829,628	$5,225,901
City-Funded Total	$355,919				

FINANCIAL IMPLICATIONS:
City Cost: $ 355,919
Savings: $ 4,869,982 in transit service funded by PTF & Grant

Fund Source:

Acct. No:	Fund Name	Program Name	Funds
101.3340.5219.0000	General Fund	Transit Operations	$171,102
216.3340.5219.0000	LTAF	Transit Operations	$184,817

TRANSPORTATION COMMISSION: This agreement was reviewed at the November 6, 2014, meeting of the Transportation Commission and recommended for approval by a vote of 7-0.

9. IGA: REGIONAL PUBLIC TRANSPORTATION AUTHORITY (RPTA) FIXED ROUTE BUS SERVICE Res. No. 4817

ADOPTED Resolution No. 4817 approving an amendment to the intergovernmental agreement (IGA) between the Regional Public Transportation Authority (RPTA) and the City of Chandler to provide Fixed Route Bus Service, Dial-A-Ride, and Ride Choice programs for Fiscal Year 2014/2015, in an estimated amount of $557,353.

BACKGROUND/DISCUSSION: This is the first of four (4) annual amendments with RPTA for the provision of transit service through June 30, 2015. Each year an amendment is made to adjust for operating costs and service levels.

Fixed Route Bus Service: There are thirteen (13) bus routes that operate within the City of Chandler. These include ten (10) local fixed routes, two (2) express routes, and one (1) LINK bus route. Chandler's bus service is funded by three (3) different funding sources: Public Transportation Funds (PTF), City funds (General Fund), and Local Transit Assistance Funds (LTAF) as shown in the Table below. For Fiscal Year 2014/2015 approximately 63,525 miles will be funded by the City and LTAF and approximately 920,037 miles will be funded with PTF funds. The estimated total cost for fixed route bus service is listed below in Table 1.

East Valley Dial-A-Ride: Dial-A-Ride provides door-to-door, shared-ride public transportation services for senior citizens and persons with disabilities. For Fiscal Year 2014/2015 approximately 60,431 trips will be provided for an estimated cost listed below in Table 1. Proposition 400 funds will cover the cost of service for persons with disabilities in accordance with the Americans with Disabilities Act (ADA).

Ride Choice: The Ride Choice program offers additional transportation options for seniors and persons with disabilities. This program offers participating residents more flexibility and helps minimize the City's cost of Dial-A-Ride. Participants use a reloadable card and can purchase up to $100 in value for $25 each month. This program is funded with grant funding and City funds. For Fiscal Year 2014/2015 an estimated 6,000 trips will be provided and the estimated cost for the Ride Choice program is listed below in Table 1.

Table 1
Service Funding Information, Fiscal Year 2014/2015

	LTAF	City General Fund	Grant Fund	Proposition 400 Public Transportation Fund (PTF)	Totals
Fixed Route Bus Service	$235,974	$ 75,000		$4,274,692	$4,585,666
East Valley Dial-A-Ride	$168,379	$ 19,398		$1,180,000	$1,367,777
Ride Choice		$ 58,602	$15,708		$ 74,310
Totals	$404,353	$153,000	$15,708	$5,454,692	$6,027,753
City-Funded Total	$557,353				

FINANCIAL IMPLICATIONS:
City Cost: $557,353
Savings: $5,470,400 in transit service funded by PTF and Grant

Fund Source:

Acct. No:	Fund Name	Program Name	Funds
101.3340.5219.0000	General Fund	Transit Operations	$153,000
216.3340.5219.0000	LTAF	Transit Operations	$404,353

TRANSPORTATION COMMISSION: This agreement was reviewed at the November 6, 2014, meeting of the Transportation Commission and was recommended for approval by a vote of 7-0.

10. ENTERTAINMENT DISTRICT: DOWNTOWN CHANDLER Res. No. 4819

ADOPTED Resolution No. 4819 implementing an Entertainment District in Downtown Chandler in accordance with A.R.S. § 4-207(C)(4).

BACKGROUND/DISCUSSION
An Entertainment District allows a municipality's governing body to approve an exemption from the 300' distance restriction applicable to churches/schools and certain liquor licenses. These liquor licenses must be approved by Mayor and Council on a case-by-case basis after receiving public

input. The purpose of an Entertainment District is to give more local flexibility to promote all uses within an urbanized area, particularly downtowns.

State statute defines an Entertainment District as an area that contains a "significant number of entertainment, artistic and cultural venues, including music halls, concert facilities, theaters, arenas, stadiums, museums, studios, galleries, restaurants, bars and other related facilities." The mix of uses and amenities in Downtown Chandler qualifies for this designation.
The approval of an Entertainment District does not impact zoning ordinance requirements. The Entertainment District only impacts existing liquor laws by removing the 300' distance requirement

The liquor licenses affected are:

Series 3, Microbrewery
Series 6, Bars
Series 7, Beer and Wine Bars
Series 9, Liquor stores
Series 10, Beer and Wine stores
Series 14, Private Clubs

The State statute requires the Entertainment District's size to be no larger than one square mile in total. The City of Chandler's boundary is 0.20 square miles and matches the boundary of the Enhanced Municipal Services District (EMSD). The bounded area is between Chandler Blvd and Frye Rd, and roughly Dakota St. to Delaware St. With a population between 200,000 and 500,000, State statute allows the City of Chandler to designate up to two Entertainment Districts.

There is currently one church within the proposed Entertainment District boundary and staff met with the Pastor. After receiving details about the Entertainment District, no objections were noted.

A Neighborhood Meeting for the Entertainment District took place on November 12th, 2014. One citizen attended and no objections were noted.

FINANCIAL IMPLICATIONS
There are no assessments or fees on property owners within the Entertainment District.

11. PURCHASE VACANT PARCEL: 99 S. Hamilton St. Chandler, AZ Res. No. 4823

ADOPTED Resolution 4823 granting authority to purchase a vacant parcel located at 99 South Hamilton Street, Chandler, Arizona, for the appraised value of $103,000.00, plus closing costs of approximately $2,000.00, granting authority to transfer the funds from fund 240 Grant Contingency to fund 236 Proceeds Reinvestment, and further authorizing the City's Real Estate Coordinator to sign the purchase agreement and other documents necessary to complete the acquisition.

BACKGROUND/DISCUSSION: City Staff recently entered into an agreement to purchase a property for the future Washington Street alignment. As a part of the negotiations to acquire the alignment parcel, the owner strongly encouraged the City to consider purchasing another vacant parcel he owned. The City's Housing and Redevelopment Division has been interested in this parcel for several years due to its location which abuts property the Housing and Redevelopment Division currently owns. City Staff have been able to reach an agreement with the property

owner to purchase the parcel for the appraised value of $103,000, plus closing costs of approximately $2,000.

The 99 S. Hamilton Street parcel is adjacent to another Housing and Redevelopment Division-owned parcel which has limited use because it is encumbered with an access easement subservient to the subject parcel. The Housing and Redevelopment Division believes that investing in this parcel will make both parcels more valuable. It will also help ensure the overall condition of the remnant property for the short term and will eventually become an asset that should benefit the neighborhood and serve as an important affordable housing resource in the future.

FINANCIAL IMPLICATIONS: The City's Housing and Redevelopment Division has specific non-federal funding designated for the support of sustaining, improving, and expanding affordable housing projects within the City of Chandler. The Housing and Redevelopment Division is requesting permission to transfer $105,000 in budget authority from fund 240 Grant Contingency to fund 236 Proceeds Reinvestment if Resolution No. 4823 is adopted.

Fund Source:

Account	Fund Name	Program Name	Amount
236.4650.6210	Proceeds Reinvestment	Other Business -Nonfederal	$105,000

12. Issuance and Post-Issuance Compliance Procedures: Tax Exempt Bonds Res. No. 4824

ADOPTED Resolution No. 4824 adopting a revision to Issuance and Post-Issuance Compliance Procedures Relating to Tax Exempt Bonds, Other Tax Exempt Financing, Build America Bonds (Direct Pay), Recovery Zone Bonds, Tax Credit Bonds, and Tax Credit Bonds (Direct Pay) for the City of Chandler, Arizona.

DISCUSSION

On April 25, 2013, Council approved Resolution No. 4679 which adopted the City's first Issuance and Post-Issuance Compliance Procedures for various tax-exempt bonds. These procedures are required by the Internal Revenue Service. During the City's recent General Obligation Bond Refunding process, it was brought to our attention that the City was only completing one part of the financial filings required for prior bond sales. The City was posting the Comprehensive Annual Financial Report to the Electronic Municipal Market Access (EMMA) system, but certain supplemental financial information was not posted. Working closely with our bond Attorney and our Financial Advisor, this information was posted to EMMA prior to the final closing of the refunding. However, we have identified the need to add specific requirements about continuing disclosure into the existing procedures.

Specifically, this Resolution will add paragraph 9, CONTINUING DISCLOSURE to the existing Issuance and Post-Issuance procedures. This paragraph specifies the requirement to post supplemental information as required in each bond sale Official Statement, to the EMMA system by February 1st of each year for the prior Fiscal Year. It also requires posting of information to EMMA for singular events such as rating changes for underlying insurance companies, bond calls, delinquent payments, and other events that could be of interest to bond holders.

Internally, Management Services has created a checklist to ensure that the required information is posted for every bond series currently outstanding. Adding Continuing Disclosure to the approved procedures and implementing the internal control checklist will ensure compliance for all existing and future debt issues.

13. AGREEMENT: JP Morgan Chase Bank, N.A.

ADOPTED Resolution No. 4825 authorizing the extension of Agreement No. 2845, with JP Morgan Chase Bank, N.A., for Banking Services, and authorize the City Manager to sign any documents, agreement amendments, or a request required to implement said agreement.

BACKGROUND
On December 9, 2010, City Council approved an agreement with JP Morgan Chase Bank, N.A. for banking services for a four-year period with the option of three additional two-year extensions. JP Morgan Chase has agreed to extend for one two-year period at the same terms, conditions and pricing. Extension of this agreement will be for a new term of January 1, 2015 through December 31, 2016, and is the first extension of the contract.

The scope of services includes checking account maintenance, deposits, armored car service, electronic payments and deposits (ACH), wire transfers, credit card payment processing and on-line bank transactions and reporting.

FINANCIAL IMPLICATIONS
Historically credits based on the Fed Funds rate offset the cost of service provided, however due to low interest rates in recent years, the City has not earned enough credits.
Therefore, funds for the contract are from the General Fund, Non-Departmental, Bank Fees account (101.1290.5807). Estimated maximum costs for the term is $97,582 per year if the Fed Funds rate remains at its current low level.

14. IGA: Germann Road Improvements Res No. 4826

ADOPTED Resolution No. 4826 authorizing the City to enter into an Intergovernmental agreement with the Maricopa County Department of transportation for cost sharing for improvements to Germann Road from Arizona Avenue to Hamilton Street.

BACKGROUND/DISCUSSION: Germann Road, from just east of Arizona Avenue to just west of Hamilton Street, is currently under the jurisdiction of Maricopa County. As part of the Germann Road improvements from Arizona Avenue to Airport Boulevard, that were completed in 1998, the City agreed to annex all portions of Germann Road that could be legally annexed. Only this short segment from just east of Arizona Avenue to just west of Hamilton Street could not be annexed because it would sever a county island into two county islands, which State Statutes did not allow. A recent change to State Statutes now allows this annexation to occur.

This Intergovernmental agreement is for a maximum amount of $350,000 from the Maricopa County Department of Transportation for repairing some small areas of road failure, mill and overlay of the entire segment, and the associated Americans with Disabilities Act (ADA) improvements.

On September 16, 2014, the Maricopa County Transportation Advisory Board (TAB) recommended the Board of Supervisors fund this project from the Fiscal Year 2015 Special Project Fund (SPF) for a maximum amount of$350,000. The work must be completed by September 1, 2015.

Upon completion of this project, the City will annex all of the Germann Road right-of-way and maintain the roadway.

FINANCIAL IMPLICATIONS: The County is responsible for the cost of this project up to a maximum amount of $350,000

15. CONTRACT: Governor's Office of Highway Safety Resolution No. 4827

ADOPTED Resolution No. 4827 authorizing a contract with the Governor's Office of Highway Safety; authorize the City Manager and Chief of Police, as designee, to execute the contract; and authorize the Chief of Police to sign, administer, execute, and submit the contract and all documents and other necessary instruments in connection with such contract.

The Governor's Office of Highway Safety (GOHS) has notified the department that it is eligible to receive a contract in the form of a reimbursable grant for the purchase of three DUI Enforcement Vehicles. As a result, the Traffic Unit DUI team will transition from motorcycles to motor vehicles to enhance officer safety and increase operational efficiency. GOHS will reimburse Chandler up to $142,500 for the purchase of three fully-equipped vehicles.

FINANCIAL IMPLICATIONS: None. Awards are funded by GOHS.

16. IGA Amendment: Arizona Department of Revenue Resolution No. 4828

ADOPTED Resolution No. 4828 authorizing a modification to the existing Intergovernmental agreement with the Arizona Department of Revenue to allow for compliance with changes made to A.R.S. §42-6001 related to audits.

BACKGROUND
On September 16, 2010, Council approved an intergovernmental agreement (IGA) between the City of Chandler and the Arizona Department of Revenue (ADOR) which established procedures and responsibilities related to the sharing of taxpayer information between the City and ADOR for the coordination of joint audits of taxpayers, and the administration, collection, and licensing of taxpayers subject to Transaction Privilege Tax (TPT), use tax, severance tax, jet fuel excise and use tax, and rental occupancy taxes imposed by the State or Cities or Towns.

In accordance with Chandler Tax Code Section 62-510, the City is allowed to share certain taxpayer information with other cities and towns in Arizona for the efficient administration of the various cities' transaction privilege and use tax programs. Section 62-510 also allows the City to share taxpayer information with ADOR for the same purposes, provided the City enters into an intergovernmental agreement with ADOR. A.R.S. §42-6001, et seq., requires the City to participate in joint auditing of taxpayers under certain circumstances and requires the sharing of taxpayer information for that purpose.

On June 25, 2013, House Bill (HB) 2111 passed the Arizona House and Senate and was signed into law by the Governor. The intent of this bill was to require ADOR to begin collecting the TPT for all municipalities beginning January 2015. It also required ADOR to be the single point of contact for TPT related issues and administer TPT audits of taxpayers beginning January 2015 with additional specific requirements of City auditors that must be included in an IGA.

The transition of collecting tax revenues to ADOR has since been delayed until 2016 as the Department does not have the necessary technological improvements ready for the transition. However, the legal requirement remains that ADOR administer the audit function for all cities in 2015 and set specific audit requirements that must be followed by City auditors and be included in an IGA. This modification to the current IGA allows Chandler to continue to perform TPT audits following the provisions and requirements outlined in HB 2111 now, since adopted into A.R.S. §42-6001, et seq. This will allow for compliance with State law related to TPT audits of taxpayers until such time a new IGA including all new provisions of HB 2111 is issued between Cities/Towns and ADOR.

17. CITY OF CHANDLER SECTION 125 FLEXIBLE BENEFIT PLAN: Resolution No. 4830

ADOPTED Resolution No. 4830 authorizing the Amended and Restated City of Chandler Section 125 Flexible Benefit Plan which renames the former City of Chandler Flexible Spending Account Program, adds provisions allowing for pre-tax contributions to Health Savings Accounts and continuous (evergreen) benefit elections, and makes clarifying changes to improve administration of the Plan.

BACKGROUND DISCUSSION:

A Cafeteria Plan under Section 125 of the Internal Revenue Code of 1986, as amended (26 U.S.C.A. § 125), allows employers to offer employees a choice among a variety of nontaxable benefits and cash. A Cafeteria Plan allows employees to purchase certain qualified benefits with pre-tax dollars.

The City of Chandler adopted a Cafeteria Plan for its employees effective January 1, 1996. A restatement of the Cafeteria Plan became effective January 1, 2004, as the City of Chandler Flexible Spending Account Program.

The proposed amendment and restatement of the Cafeteria Plan renames the former Flexible Spending Account Program as the City of Chandler Section 125 Flexible Benefit Plan (the "Plan") to clarify its status as a Cafeteria Plan and eliminate confusion with the Flexible Spending Account ("FSA") benefit, which is only a single component of the Plan. The restated and amended Plan also incorporates into the body of the Plan two previously approved amendments to the Health FSA effective as of January 1, 2010; adds provisions allowing employees to make pre-tax contributions to a Health Savings Account (HSA) through salary reduction if they otherwise qualify; and permits certain types of benefit elections to apply automatically to a subsequent Benefit Plan Year without an affirmative election by the employee.

The City Council's approval of the proposed Amended and Restated Plan is required for the changes to apply to the Benefit Plan Year commencing on January 1, 2015.

18. BOARD AND COMMISSION APPOINTMENTS:

The following Board and Commission appointments were approved:

Parks and Recreation Board: Erin Hays

Police Complaints and Use of Force Citizens' Review Panel: Jon Beydler

19. PURCHASE: A to Z Equipment

APPROVED the purchase of two (2) brush chippers from A to Z Equipment, utilizing the National Joint Powers Alliance Contract No. 031014-BAN, in the amount of $74,438.44

20. AGREEMENT: Skaggs Companies Uniforms

APPROVED Agreement No. PD5-200-3453 with Skaggs Companies for police uniforms in an amount not to exceed $175,000.00 for one year, with the option of four additional one-year extensions.

21. AGREEMENT: Proforce Law Enforcement, Galls LLC, and GT Distributors Inc.

APPROVED Agreement No. PD5-680-3456 with Proforce Law Enforcement, Galls LLC, and GT Distributors Inc., for police supplies, in an amount not to exceed $70,000.00 for one year, with the option of four additional one-year extensions.

22. SITE SPECIFIC SUPPLEMENTAL AGREEMENT No. 002: City of Phoenix

APPROVED the IGA Site Specific Supplemental Agreement No. 002 with the City of Phoenix, per terms of the previously approved Intergovernmental Agreement (IGA) No. 101746, Amendment No. 01, with the City of Phoenix regarding sharing of telecommunications facilities and network infrastructure located at 911 S. Hamilton Street, and authorize the Mayor to execute the agreement.

BACKGROUND/DISCUSSION: On June 27, 2002, Council approved an IGA with the City of Phoenix for sharing of telecommunications facilities. On September 14, 2012 the City of Chandler renewed and amended IGA No. 101746 regarding the sharing of telecommunications facilities.
The amended IGA requires Site Specific Supplemental Agreements be entered into for each shared telecommunications facility location.

Shared telecommunications facilities are necessary for operation of the regional-based radio network, which provides seamless interoperable radio communications for multiple public safety and government agencies operating within the greater Phoenix metropolitan area. This proposed motion applies to Site Specific Supplement Agreement No. 002 regarding sharing of telecommunications facilities located at Chandler Fire Station 281, 911 S. Hamilton Street.

23. SITE SPECIFIC SUPPLEMENTAL AGREEMENT No. 003: City of Phoenix

APPROVED the Site Specific Supplemental Agreement No. 003 with the City of Phoenix, per terms of the previously approved Intergovernmental Agreement (IGA) No. 101746, Amendment No. 01, regarding sharing of telecommunications facilities and network infrastructure between the City of

Phoenix and the City of Chandler located at 250 E. Chicago Street, and authorize the Mayor to execute the agreement.

BACKGROUND/DISCUSSION: On June 27, 2002, Council approved an IGA with the City of Phoenix for sharing of telecommunications facilities. On September 14, 2012 the City of Chandler renewed and amended IGA No. 101746 regarding the sharing of telecommunications facilities. The amended IGA requires Site Specific Supplemental Agreements be entered into for each shared telecommunications facility location.

Shared telecommunications facilities are necessary for operation of the regional-based radio network which provides seamless interoperable radio communications for multiple public safety and government agencies operating within the greater Phoenix Metropolitan area. This resolution applies to Site Specific Supplement Agreement No. 003 regarding sharing of telecommunications facilities located at Chandler Police Dispatch, 250 E. Chicago Street.

24. SITE SPECIFIC SUPPLEMENTAL AGREEMENT No. 004: City of Phoenix

APPROVED the Site Specific Supplemental Agreement No. 004 with the City of Phoenix, per terms of the previously approved Intergovernmental Agreement (IGA) No. 101746-Amendment No. 01, with the City of Phoenix regarding sharing of telecommunications facilities and network infrastructure located at 576 W. Pecos Road, and authorize the Mayor to execute the agreement.

BACKGROUND/DISCUSSION: On June 27, 2002, Council approved an IGA with the City of Phoenix for sharing of telecommunications facilities. On September 14, 2012 the City of Chandler renewed and amended IGA No. 101746 regarding the sharing of telecommunications facilities.
The amended IGA requires Site Specific Supplemental Agreements be entered into for each shared telecommunications facility location.

Shared telecommunications facilities are necessary for operation of the regional-based radio network which provides seamless interoperable radio communications for multiple public safety and government agencies operating within the greater Phoenix Metropolitan area. This resolution applies to Site Specific Supplement Agreement No. 004 regarding sharing of telecommunications facilities located at Chandler Emergency Operations Center, 576 W. Pecos Road.

FINANCIAL IMPLICATIONS: None.

25. GENERAL PLAN UPDATE AGREEMENT: Partners for Strategic Action, Inc.

APPROVED Agreement No. CM5-918-3447, with Partners for Strategic Action, Inc., for the General Plan Update, in the amount of $249,975 for the term of January 1, 2015, through December 31, 2016.

BACKGROUND/DISCUSSION:
Arizona Revised Statutes §9-461.06 requires the City's General Plan be adopted and ratified at least once every ten years. Approval of this contract would retain the services of primary consultant, Partners for Strategic Action, Inc., and sub-consultants to assist City Planning Staff in updating the current General Plan, which was adopted by Mayor and Council on June 26, 2008. Planning Staff is initiating the update process now with the goal of having the updated General Plan adopted by Mayor and Council in the summer of 2016 and ratified by voters in the November 2016

election. One of the first actions following the approval of this contract will be to assemble a Citizen Advisory Committee to guide the consultants and Planning Staff throughout the process. A Public Participation Plan, a general timeline that outlines the update process and strategies for encouraging public input, will be developed by the Committee and will be presented to Mayor and Council for approval early next year.

EVALUATION: On September 4, 2014, City Staff issued a Request for Proposal for the General Plan Update. Notification was sent to all registered vendors. Six proposals were received. The Evaluation Committee evaluated the proposals and recommends award to Partners for Strategic Action, Inc., who submitted the most advantageous offer to the City in accordance with the evaluation criteria.

The term of this agreement is January 1, 2015, through December 31, 2016.

FINANCIAL IMPLICATIONS:

Cost:	$249,975
Savings:	N/A
Long Term Costs:	N/A

26. AGREEMENT: Western Alliance Bank, dba Alliance Bank of Arizona

APPROVED Agreement No. MS5-946-3488 with Western Alliance Bank, dba Alliance Bank of Arizona to maximize the return on short term investments through the use of the Certificate of Deposit Account Registry Service (CDARS), whose accounts are insured by the FDIC.

BACKGROUND/DISCUSSION: The City of Chandler is responsible for safekeeping and investment of all public monies based on the City's Investment Policy, adhering to the objectives of safety, liquidity and yield. The City engages two investment management firms (PFM Asset Management, L.L.C. and Wells Capital Management Services, Inc.) to invest City funds that are not immediately expended, in different investment types and durations as allowed in the City's Investment Policy. Investment earnings have declined due to historically low yields, and cash flow needs require a portion of the portfolio to remain in short term investments which earn the least return.

In order to maximize the return on short term investments, staff is recommending using a community bank deposit program called CDARS, which places short term funds in Certificates of Deposit (COs) for defined terms which are insured by the FDIC. This program is available through Western Alliance Bank, dba Alliance Bank of Arizona, which is an Arizona state-chartered financial institution with a physical presence in the City of Chandler. Depositing our short-term City monies in CDARS through the local bank, Alliance Bank of Arizona, provides benefit to our community by them using the funds locally for development and small business loan generation to help spur local economic activity.

EVALUATION: The opportunity to maximize return through use of the CDARS program at a Chandler financial institution is only available currently through Western Alliance Bank, dba Alliance Bank of Arizona, therefore they were direct selected to provide this service for the City of Chandler.

FINANCIAL IMPLICATIONS: It is anticipated that by shifting set amounts of short term funds from the City Investment firms money market accounts or US Treasuries to COs through CDARS, will gain additional basis points (1 basis point= .01%) thereby maximizing yield based on market rates.

27. AGREEMENT: Dibble Engineering

APPROVED PROJECT AGREEMENT NO. AI1502-201 with Dibble Engineering for design services for Airport Signage Replacement, pursuant to On-call Airport Facilities and Infrastructure design Services Contract No. EN1005-101, in an amount not to exceed $78,820.00.

BACKGROUND/DISCUSSION: The Airfield Guidance Signs project involves replacing or installing new mandatory runway/taxiway guidance signs. This work will not only address changes to the Federal Aviation Administration's (FAA) signage standards, it is anticipated to reduce maintenance time and costs, as most of the signs were installed in 1989.

On October 23, 2014, City Council adopted Resolution No. 4807 authorizing a grant agreement with the Arizona Department of Transportation (ADOT) for Grant No. E5S1K for $703,800 for the design and construction of approximately 75 airfield guidance signs and Runway 4R/22L Precision Approach Path Indicators (PAPI) replacement. For the design portion of this project, the consultant will provide engineering design, specifications, quantities, construction cost estimating, and bid-phase services for the replacement of approximately 75 airfield guidance signs at Chandler Municipal Airport, as well as the replacement of the PAPI's on Runway 4R-22L.

EVALUATION: This project is being performed under the On-call Airport Facilities and Infrastructure Design Services Contract No. EN1005.101, to Dibble Engineering. The cost proposal for this project has been evaluated by Staff and is determined to be reasonable. The contract completion time is 180 calendar days following Notice to Proceed.

FINANCIAL IMPLICATIONS: Fund Source: Under ADOT Grant No. E5S1K, ADOT pays 90% of the total project cost and the City is responsible for 10%.

Acct. No.:	Fund Name:	CIP	Amount: Funded:
417.4110.6910.6AI369	Airport Grant Capital	Yes	$70,938.00
635.4110.6910.6AI369	Airport Operating		$7,882.00

28. AGREEMENT EXTENSTION: Bank of America

APPROVED AGREEMENT EXTENSION NO. MSO-946-2777, with FIA Card Services, N.A. (Bank of America), for Procurement Card Services, for a two-year period.

BACKGROUND/DISCUSSION: The City of Chandler was the first entity to develop a procurement (P- Card) program beginning in 1993 which has expanded to today's program. In December 2009, City Council approved an agreement for P-Card Services with FIA Card Services, N.A. a subsidiary of Bank of America. At that time, the City had 640 cardholders with an average annual spend of approximately $2.6 million. Through the use of ghost cards, as well as the e-payables program, the annual spend has increased to almost $12 million and the number of P-Card holders

is now approximately 700. This revenue generating program provides the City with the means to be efficient and cost effective in the processing of payments, and equips the City with user-friendly reporting tools. It automates the interface with the City's financial system, Oracle, which allows for on-line review and approval of transactions to ensure program-compliant spending. The program has expanded to 28 statewide agencies and organizations using the City of Chandler's cooperative contract, making the total annual spend by all users approximately $125 million.

EVALUATION PROCESS: The City's P-Card agreement, approved December 2009, is a 3 year contract that allows for four (4) two year extensions. The City's contract is cooperative and is used by 28 public agencies. This is a benefit to the City because the total spend volume by all users, in addition to the City's individual spend is considered in the determination of the amount of the rebate the City receives.

In the first term of the agreement, the rebate received by the City was calculated on a basis point multiplier using the City's total program spend. 1 basis point= .01% and the City's basis points in the first term were 120. Staff met with Bank of America to review the terms and conditions of this contract prior to recommending extension. For this extension term, Bank of America will increase the basis points that are the foundation for the rebates received by users. In addition, basis points are now applied in a tiered structure, offering increasing basis points for all users as both individual and overall program spend grows.

Staff recommends extension of this agreement for the new term of January 1, 2015 through December 31, 2016. This is the second extension of the contract.

FINANCIAL IMPLICATIONS: In calendar year 2013, the City received a rebate amount of about $200,000. The rebate for calendar year 2014 will be calculated at the end of the year and may increase or decrease depending on the volume of City and total program spend, but it should be noted that the rebate would increase if spend stayed the same as 2013 based on the new rebate calculation.

29. AGREEMENT: Sundt Construction, Inc.

APPROVED AGREEMENT NO. MU5-913-3446 with Sundt Construction, Inc., for maintenance and repair of the Ocotillo Brine Reduction Facility, in an amount not to exceed $250,000.00, per year, with the option to renew for up to four additional one-year periods.

BACKGROUND/DISCUSSION: Sundt Construction, Inc., was under contract with Intel for the expansion of the Ocotillo Brine Reduction Facility (OBRF), formerly known as the Reverse Osmosis Facility. Sundt Construction, Inc., coordinated the installation of specialized processes and equipment and arranged training for OBRF Staff during the expansion process.

The project scope of work includes maintenance and repair of specialized processes and equipment such as brine compressors and concentrator, boiler, blind flanges, and modifications for draining evaporation ponds and lift station. The project also includes consulting with all vendors for additional training, data analysis, and troubleshooting of issues.

The cost of this Agreement will be reimbursed by Intel.

EVALUATION: Sundt Construction, Inc., was under contract with Intel for the expansion of the OBRF. The facility has many specialized processes and equipment, therefore, Sundt Construction, Inc., is recommended as a sole source.

FINANCIAL IMPLICATIONS:

Cost:	$250,000
Savings:	N/A
Long Term Costs:	N/A

Fund Source:

Account No.:	Fund Name:	Program Name:	CIP Funded	Funds:
616.3930.5219.0	Wastewater Industrial Process	Other Professional	No	$250,000

30. AGREEMENT: Wilson Engineers, LLC.

APPROVED AGREEMENT NO. WW1504.201 with Wilson Engineers, LLC, for design services for the Manganaro Lift Station Improvements, pursuant to On-call Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed $102,470.00.

BACKGROUND/DISCUSSION: The Manganaro Lift Station is located on the southeast corner of Ray and Price Roads. The facility has been in operation since 1998. The Manganaro Lift Station conveys wastewater flows from northwest Chandler to the wastewater treatment facilities. Staff has identified several rehabilitation items to improve the reliability of the lift station.

The project scope of work consists of design services to provide a flow meter, along with structural and piping improvements to the wet well and manholes at the Manganaro Lift Station.

EVALUATION: This project is being performed under the On-call Water and Wastewater Services Contract No. EN1517.101, to Wilson Engineers, LLC. The costs proposed for this project have been evaluated by Staff and are determined to be reasonable. The contract completion time is 180 calendar days following Notice to Proceed.

FINANCIAL IMPLICATIONS:

Cost:	$102,470
Savings:	N/A
Long Term Costs:	N/A

Fund Source:

Account No.	Fund Name:	Program Name:	CIP Funded:	Amount:
611.3910.6815.6WW196	Wastewater Bond	Collection System F.I.	YES	$102,470

31. PROJECT AGREEMENT: Dibble Engineering Inc.

APPROVED PROJECT AGREEMENT NO. WA1511.201 with Dibble Engineering, Inc., for design services for the Water Valve Replacement Program, pursuant to On-call Water and Wastewater Services Contract No. EN1520.101, in an amount not to exceed $127,910.00.

32. PROJECT AGREEMENT: Dibble Engineering, Inc.

APPROVED PROJECT AGREEMENT NO. WW1305.451 with Dibble Engineering, Inc., for construction administration services for Lone Butte Water Reclamation Facility Improvements, pursuant to On-call Contract No. EN1520.101, in an amount not to exceed $157,484.00

33. PROJECT AGREEMENT: SDB, Inc.,

APPROVED PROJECT AGREEMENT NO. PR1504.401 with SDB, Inc., for construction of the Paseo Vista Recreation Area Drainage project, pursuant to JOC No. JOC1201.401, in an amount not to exceed $48,422.00, plus $2,422.00, for associated in-house engineering services for a total amount not to exceed $50,844.00.

GENERAL FUND CONTINGENCY APPROPRIATION TRANSFER in the amount of $23,449.00; and SOLID WASTE FUND CONTINGENCY APPROPRIATION TRANSFER in the amount of $27,395.00, for the contract and associated in-house engineering services.

34. PROJECT AGREEMENT: Michael Baker Jr., Inc.,

APPROVED PROJECT AGREEMENT NO. PR1504.201, with Michael Baker Jr., Inc., for design services for Paseo Vista Recreation Area Drainage in an amount not to exceed $183,125.92, plus $18,312.59 for associated in-house engineering services, for a total amount not to exceed $201,438.51.

GENERAL FUND CONTINGENCY APPROPRIATION TRANSFER in the amount of $100,719.25; and SOLID WASTE FUND CONTINGENCY APPROPRIATION TRANSFER in the amount of $100,719.26, for the contract and associated in-house engineering services.

35. CONSTRUCTION CONTRACT: CSW Contractors, Inc.,

APPROVED CONSTRUCTION CONTRACT NO. WW1305.401 to CSW Contractors, Inc., for Lone Butte Water Reclamation Facility Improvements, in an amount not to exceed $899,847.32.

36. PROFESSIONAL SERVICES CONTRACT: CH2M Hill Engineers, Inc.

APPROVED PROFESSIONAL SERVICES CONTRACT NO. WW1420.101 to CH2M Hill Engineers, Inc., for development of the Water, Wastewater, and Reclaimed Water Master Plan, in an amount not to exceed $891,520.00.

37. CONSTRUCTION CONTRACT: Shasta Industries

APPROVED CONSTRUCTION CONTRACT NO. CS1406.401 to Shasta Industries for Folley Pool Toddler Slide Replacement, in an amount not to exceed $155,420.00.

38. CONSTRUCTION CONTRACT: Builders Guild, Inc.,

APPROVED CONSTRUCTION CONTRACT PROJECT NO. LI1301.401 to Builders Guild, Inc., for Copper Room Renovations, in an amount not to exceed $366,059.00.

39. PURCHASE: Maintenance, Repair and Operational (MRO) Supplies

APPROVED PURCHASE of maintenance, repair and operational (MRO) supplies from Grainger, utilizing the National Intergovernmental Purchasing Alliance Company (NIPA), in an amount not to exceed $250,000.00.

40. PURCHASE: SHI International Corporation

APPROVED PURCHASE of LANDesk license conversion, training and implementation services from SHI International Corporation, utilizing the Western States Contracting Alliance (WSCA) Agreement No. ADSPO11-007500, in the amount of $110,443.00.

41. PURCHASE: Toter, LLC.

APPROVED PURCHASE of refuse and recycling containers and parts from Toter, LLC, utilizing the National Intergovernmental Purchasing Alliance (NIPA) Contract No. 120576, in an amount not to exceed $350,000.00.

42. USE PERMIT: ST. LUKE'S BEHAVIORAL HEALTH

APPROVED USE PERMIT, ZUP13-0032 ST. LUKE'S BEHAVIORAL HEALTH, extension for the continued operation of a therapy business in an office/industrial building located at 325 E. Elliot Road, Suite 29, east of the SEC of Arizona Avenue and Elliot Road.

BACKGROUND

The subject site is located within the 240-acre Arizona Corporate Park that was zoned I-1/PAD for industrial uses and a limited amount of commercial and office uses in 1981. The corporate park encompasses land both north and south of Elliot Road. The subject site's zoning was limited to I-1 uses in the 1981 zoning; however, a Use Permit was approved in 1988 for the subject site to allow general office uses to the extent allowed by parking provision. The Use Permit specifically prohibited medical office uses. A Use Permit was granted for the therapy business in late 2011 for two years. The subject request is to allow the continuation of the therapy business. Operations of the business have not changed since the prior approval.

The business occupies 8,000 square feet in the southwestern portion of the site.
The site contains two horseshoe-shaped buildings with parking around the perimeter and a small truck court between the buildings. The floor plan features six (6) group rooms, a lunch room, and 14 smaller offices. The smaller offices will house the program director, therapists, nurse, psychiatrist, and other employees.

The business primarily involves group therapy in a clinical setting via two types of programs. The Momentum Program is run Monday through Saturday 8:30 a.m. to 2:30 p.m., with a maximum of 5 groups of ten persons (50 persons at a time), attending multiple short sessions during the timeframe. The average number of participants is around 25 per day; however, the sessions are staffed to accommodate the larger group. Lunch is catered into the facility allowing clients to eat together in the facility.

The second program, Chemical Dependency Intensive Outpatient Treatment Program (CD-IOP), is run Monday, Wednesday, and Thursday 9 a.m. to noon and 6 p.m. to 9 p.m. On average there are roughly 5 clients in the morning and 8 clients in the evening program; however, the program can operate with up to 15 clients per group.

All clients participate in group counseling with the occasional one-on-one counseling session. At full capacity with both programs operating, the potential exists for 55 patients at the site during the day and 15 clients in the evening.

The business will use private passenger vans to transport all patients in the Momentum Program as none of these patients are allowed to drive.
Patients in the CD-IOP are allowed to drive, though many are anticipated to use public transit, which is one of the primary factors as to why the business wishes to remain located near the Elliot Road/Arizona Avenue intersection.

At 8,000 square feet, the Zoning Code would require 54 parking spaces for this medical use. The business as proposed could generate up to 42 vehicles if operating at capacity that would include transport vans, clients, and the necessary medical staff. It is unlikely that the business will ever be at full capacity at any given time. Parking is shared throughout the site; however 62 parking stalls are within close proximity to the suite. Planning Staff is unaware of any parking issues occurring since the start of operations for the business and finds there is no parking conflict presented by the proposed use.

Planning Commission and Planning Staff recommend approval of the request, finding that a group therapy use fits in well with the established office/light industrial neighbors and does not present land use conflicts. The five year recommendation allows Planning Staff to monitor the ongoing use to ensure the operation of the program remains compatible within the larger business park. The unique nature of the business' transportation situation serves to significantly lessen the traffic impact compared to typical medical office uses. Though hazardous materials can be of concern in other industrial settings, this particular site has a less industrial nature due to its allowance of general office uses and its tight courtyard. In practice, the proposed use will have an impact similar to the general office uses already permitted.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held Tuesday, November 4, 2014, at the subject site. No citizens attended.

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff, recommend approval of ZUP13-0032 ST. LUKE'S BEHAVIORAL HEALTH subject to the following conditions:

1. Development shall be in substantial conformance with the submitted application documents (Narrative, Site Plan, Floor Plan) except as modified by condition herein.
2. Development shall be in substantial conformance with all existing approvals for the site, except as modified herein.
3. The Use Permit shall remain in effect for five (5) years from the effective date of City Council

approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

43. USE PERMIT: VERIZON WIRELESS

APPROVED USE PERMIT, ZUP14-0012 VERIZON WIRELESS – PRICE AND SR202, to install a monopalm wireless communication facility within the ADOT right-of-way located east of Price Road and south of the Loop 202 Santan Freeway.

BACKGROUND:
The request is for Use Permit approval to install a monopalm wireless communication facility within the ADOT right-of-way, located east of Price Road and south of the Loop 202 Santan Freeway. The proposed monopalm is 60 feet (ft.) in height, measured to the top of antennas.

Allred Park Place, a business park including a hotel was approved in May 2014, is south of the facility and is permitted for buildings up to 150ft. in height. ADOT right-of-way surrounds the proposed monopalm. Hampton Inn and Suites and Homewood Suites are southeast. The nearest residential developments are more than 1,800 ft. to the southeast. Price Road is about 700 feet west of the wireless facility.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

A monopalm is a cell tower disguised as a palm tree. The monopalm would be a Date Palm design, having a minimum of 65 fronds, and antennas painted to match the fronds. The equipment enclosure would be eight feet high and constructed of concrete masonry units. A state approved pre-fabricated equipment shelter would be contained within the enclosure. Landscape is not proposed to be installed. ADOT indicates they do not want additional landscape in their right-of-way, see attached.

Within the immediate area, there are no other suitable alternatives for co-location of the wireless communication facility on existing poles or towers. An inventory of existing facilities, vertical towers, and structures located within an approximate one mile radius was prepared by the applicant to assess alternative locations. The locations were analyzed to determine their feasibility for collocation on utility poles, street and parking lot lights, monopoles, and other verticalities. None of the locations met the frequency requirements and locational service needs. The inventory is attached.

Photographic simulations of the wireless communication facility illustrating existing views and proposed views were provided by the applicant. The simulations depict the equipment enclosure and monopalm as viewed from several locations. The photo-simulations are attached.

Planning Staff finds the proposed location to be appropriate for a wireless communication facility in the form of a 60 ft. monopalm. Existing verticalities include 90 ft. tall utility poles and several multi-story hotels. The location appears to be the least visually intrusive. Once Allred Park Place is built-out, this monopalm will become less noticeable. Planning Staff is of the opinion that

permitting the monopalm at this specific location is consistent with the review factors examined as part of the Use Permit process.

PUBLIC / NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on September 30, 2014. No one other than the applicant attended. At the time of this writing, there is no known opposition to this request.
PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 6 – 0 with Commissioner Foley absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff Recommend approval of ZUP14-0012 VERIZON WIRELESS – PRICE AND SR202, for a wireless communication facility, subject to the following condition:

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.

44. USE PERMIT: VERIZON AT EPIPHANY LUTHERAN

APPROVED USE PERMIT, ZUP14-0016 VERIZON AT EPIPHANY LUTHERAN, to install a monopalm wireless communication facility located at 800 W. Ray Road, north and east of the NEC of Alma School and Ray roads.

BACKGROUND
The request is for Use Permit approval to install a monopalm wireless communication facility at 800 West Ray Road, north and east of the northeast comer of Alma School and Ray roads.
The proposed monopalm is 55 feet (ft.) in height, measured to the top of antennas. The monopalm would be located in the northern parking lot of the Epiphany Lutheran Church campus. The nearest residential developments are the College Park single family residential subdivision, approximately 230ft. east and the Boardwalk condominiums, approximately 240ft. north.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts in cases where the replacement pole exceeds the original pole height by 25 ft. or greater. The existing light pole would be replaced with a monopalm that exceeds the existing light pole height by 31 ft.

A monopalm is a cell tower disguised as a palm tree. The monopalm would be a Date Palm design, having a minimum of 65 fronds, and the antennas would be painted to match the fronds. The equipment enclosure would be eight feet high and constructed of concrete masonry units painted to match the color of the church. A state approved pre-fabricated equipment shelter would be contained within the enclosure. A solid metal gate allows access for routine maintenance. Landscape is proposed to be installed around the enclosure to match existing landscaping.

Within the immediate area, there are no other suitable alternatives for co-location of the wireless communication facility on existing poles or towers. An inventory of existing facilities, vertical towers, and structures located within an approximate one mile radius was prepared by the applicant to assess alternative locations.
The locations were analyzed to determine their feasibility for collocation on utility poles, street and parking lot lights, monopoles, and other verticalities. None of the locations met the frequency requirements and locational service needs. The inventory is attached.

Photographic simulations of the wireless communication facility illustrating existing views and proposed views were provided by the applicant. The simulations depict the equipment enclosure and monopalm as viewed from several locations. The photo-simulations are attached.

DISCUSSION
Planning Staff finds the proposed location to be appropriate for a wireless communication facility in the form of a 55 ft. monopalm, measured to the top of antennas. The monopalm design is appropriate at this location given the presence of palms in the area. The separation from the residential developments to the north and east are greater than the 160 ft. distance of recently approved wireless communication facilities. Planning Staff is of the opinion that permitting the monopalm at this specific location is consistent with the review factors examined as part of the Use Permit process.

PUBLIC/ NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on October 14, 2014. No one other than the applicant attended. At the time of this writing, there is no known opposition to this request.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 6 – 0 with Commissioner Foley absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval of ZUP14-0016 VERIZON AT EPIPHANY LUTHERAN, for a wireless communication facility, subject to the following condition:

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.

45. USE PERMIT: CHRISTIAN HIGH SCHOOL

APPROVED USE PERMIT, ZUP14-0022 VALLEY CHRISTIAN HIGH SCHOOL, to allow a time extension for a modular classroom building located at 6900 W. Galveston Street, south of the SEC of 56th Street and Ray Road.

BACKGROUND
The request is for Use Permit approval to allow a time extension for a modular classroom

building located at 6900 West Galveston Street, south of the southeast comer of 56th Street and Ray Road. The modular classroom building is located near the center of the Valley Christian High School Campus, adjacent to the main classroom building and gym.
The Chandler Crossing single-family residential subdivision is north and a school parking lot is directly south of the modular classroom building.

The first Use Permit for the modular classroom building was approved in 2000 for three years and then extended for an additional five years in 2003 and 2009. The current request is to extend the Use Permit for an additional five years. The modular classroom building is 3,360 square feet in floor area and contains four classrooms. Three classrooms are used for English, Spanish, and Health/Physical Education/Sports Medicine classes. The fourth classroom is used as the "football room" during the football season and as an office and team meeting area during the "off-season".

The Valley Christian High School received PDP approval for their Master Plan in June, 2010. The Master Plan includes three development phases for the construction of recreation fields, classroom and maintenance buildings, a performing arts center, and parking lots. The modular classroom building would be removed and replaced by an approximate 19,392 sq. ft., two-story classroom building during Phase One development.

DISCUSSION:
Planning Staff supports the continued use of the modular classroom building for an additional five years. The school intends to replace the temporary structure with a permanent structure as part of Phase One of the Campus Master Plan but has an ongoing need to use the modular classroom building for daily classes and ancillary school activities.

PUBLIC / NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notification letter was mailed out on October 16, 2014. No comments or questions have been received.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 6 – 0 with Commissioner Foley absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval of ZUP14-0022 VALLEY CHRISTIAN HIGH SCHOOL_for a modular building, subject to the following conditions:

1. The Use Permit shall be extended for a period of five (5) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

2. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

46. USE PERMIT: BORNS OFFICES

APPROVED USE PERMIT, ZUP14-0029 BORNS OFFICES, for personal service/retail/office type uses in addition to general office use located at 348 W. Chandler Blvd., north side of Chandler Boulevard and west of Chandler High School.

BACKGROUND

The subject site is located at the northeast comer of Chandler Boulevard and Nebraska Street fronting Chandler Boulevard. The property is adjacent to Chandler High School's parking lot and athletic fields to the east. The property is surrounded by single-family residential homes to the north and west. South, across Chandler Boulevard, is the San Marcos Golf Course. The house immediately west across Nebraska Street has Use Permit approval for an administrative insurance and financial services office. In addition, along Chandler Boulevard there are several other residential homes that were converted to commercial businesses with Use Permits.

The property has been used as a single-family residence since 1944. The property was a rental home between 1989 and 2007. The property is a double-sized lot approximately 20,551 square feet in size. The 1,946 square foot single-family residence is located on the southern lot fronting Chandler Boulevard. There is a two-car carport east of the home. The northern portion of the property was not improved. A Use Permit for the residential conversion to office use was granted by Council in February 2009; however, the use never commenced within a one-year period thus the Use Permit expired. This property received re-approval of the Use Permit in 2010 to convert the home into two general offices with a two-year condition of approval and a maximum of seven employees. There are two general office spaces. There is an audio visual editing conversion company which functions like a general office leasing one office space.
The second tenant space is recently vacant and the owners would like to lease to a photography business.

The Use Permit requests approval for personal service/retail/office type uses in addition to general office use. Various, smaller type retail-oriented and medical office type businesses are requested to accommodate future tenants. The proposed nature of uses include a photography studio, art studio, art gallery; specialty boutiques such as bead shop, stamp/scrapbooking shop, knit/yam shop; alterations; tutoring; music instrument lessons, vocal lessons, music recording studio; medical office uses specifically counselors, therapist, psychiatrist/psychologist, physical therapist, massage therapist, audiologist, speech pathologist, and medical devices; and uses that are similar in nature to those described above.

The Residential Conversion Policy allows for one tenant/company for each 1,000 square feet of floor area with a maximum of three users. Based on the size of the home, only one tenant/user is permitted; however, the existing Use Permit approval grants a maximum of two tenants/users. Suite One is approximately 826 square feet in size. Suite Two is approximately 989 square feet in size. The entry vestibule is approximately 131 square feet in size. A single tenant can occupy the entire 1,900 square feet of usable floor area.

The Residential Conversion Policy requires one parking space for each employee plus one parking space for each 500 square feet of floor area. The development provides 18 parking spaces including the two-car carport. The two suites are designed to accommodate up to

seven employees and a 1,964 square foot home (4 parking spaces) requires a total of 11 parking spaces.

The Michaels & Associates office immediately west of the site has approval through their Use Permit to utilize parking spaces on the Borns' property for an additional four parking spaces, typically used during tax season. Dedicating four of the 18 parking spaces for the adjacent residential conversion property does not affect the required parking provided on the Borns' property for the existing offices.

DISCUSSION
Planning Commission and Planning Staff recommend approval of the additional land uses given similar approvals of a nail/beauty salon and alterations shop for homes along the Chandler Boulevard frontage. The subject site is located at the end of the street where residential conversions exist and closest to downtown shops. The additional uses would be small scale and appropriate in this two suite residential conversion.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on November 12, 2014. One area homeowner attended in addition to the applicant. The resident was opposed to a baseball card collector shop, thus the applicant has removed that use from the request.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 6 – 0 with Commissioner Foley absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan and Residential Conversion Policy, the Planning Commission and Planning Staff recommend approval of the Use Permit subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (narrative, site plan, floor plan) shall void the Use Permit and require new Use Permit application and approval by the City of Chandler.
2. The Use Permit is non-transferable to any other property.
3. Increases in on-site employment over seven (7), or the expansion of the home to provide additional tenant spaces, shall require a new Use Permit application and approval by the City of Chandler.
4. The property shall be maintained in a clean and orderly manner.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting in accordance with City approved construction plans.

47. SPECIAL EVENT LIQUOR LICENSE: Family Support Group Inc.,

APPROVED a Special Event Liquor License, for Family Support Group Inc., for the Arizona Cardinal's Big Red Rage Radio Show Fundraiser on Thursday, December 18, 2014, located at Marjerle's Sports Grill, 3095 W. Chandler Boulevard. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

48. LIQUOR LICENSE: Jogoya Sushi Seafood Buffet

APPROVED a Series 12 Restaurant Liquor License (Chandler #155657, L12) for Bi Darren Liu, Agent, DND Seafood LLC, dba Jogoya Sushi Seafood Buffet, located at 2100 S. Gilbert Road, Ste 1. A recommendation for approval of State Liquor License # 1207A069 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Yummy Buffet LLC, dba Yummy Grill Buffet.

49. LIQUOR LICENSE: Elephant Bar Restaurant

APPROVED a Series 12 Restaurant Liquor License (Chandler # 15569 L12) for Randy D. Nations, Agent, CM EBAR LLC, dba Elephant Bar Restaurant, located at 3405 W. Chandler Boulevard. A recommendation for approval of State Liquor License No. 1207A073 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as S B Restaurant Co of Ca., dba Elephant Bar Restaurant.

50. LIQUOR LICENSE: Stingray Sushi

APPROVED a Series 12, Restaurant Liquor License (Chandler No. 155348 L12) for Randy D. Nations, Agent, Stingray Chandler LLC, dba Stingray Sushi, located at 900 N. 54th Street, Suite 1.

A recommendation for approval of State Liquor License No. 1207A078 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Chalak-MMT Chandler LLC, dba Genghis Grill.

51. SAMPLING PRIVILEGES, LIQUOR LICENSE: Wal-Mart Supercenter #2671

APPROVED the addition of sampling privileges to the existing Series 9 Liquor Store Liquor License (Chandler #100664 L9) for Clare Hollie Abel, Agent, Walmart Stores Inc., dba Wal-Mart Supercenter #2671, located at 1175 S. Arizona Avenue.
A recommendation for approval of adding sampling privileges to State Liquor License No. 09070352s will be forwarded to the State Department of Liquor Licenses and Control.

Walmart Stores Inc., dba Wal-Mart Supercenter #2671 has been in business at this location since May 25, 2005 at which time Council approved a Series 9, Liquor Store Liquor License. The applicant has submitted an application to add sampling privileges to their Series 9, State Liquor License No. 09070352. The Arizona State Legislature amended A.R.S. Section 4-206.01(1) effective July 29, 2010, allowing an applicant or licensee of a Liquor Store License to apply for sampling privileges.

52. FINAL PLAT: LONE TREE

APPROVED Final Plat FPT14-0010 Lone Tree, for a 72-lot single- family residential subdivision located at the SWC of Riggs and Lindsay roads. (Applicant Michael Sexton; Cardno)

BACKGROUND
This Final Plat is for a 72-lot single-family residential subdivision located at the southwest comer of Riggs and Lindsay roads that was approved by Council in July of this year. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

53. FINAL PLAT: CHAMPION ACADEMY

APPROVED Final Plat, FPT14-0014 CHAMPION ACADEMY, for a public charter school located north of the NWC of McQueen and Frye roads. (Applicant Bowman Consulting Group.)

BACKGROUND

This Final Plat is for a public charter school. The plat creates the lot, establishes the necessary easements, and dedicates the required rights-of-way. The property is zoned AG-1 (Agricultural District) and Planned Area Development (PAD) for a church. A Rezoning is not required since public charter schools are exempt from local zoning compliance.

RECOMMENDED ACTION
Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval.

54. AGREEMENT: Vintage Partners for Sites 1, 2, and 3

APPROVED Resolution No. 4829 authorizing the award of the request for proposals to Vintage Partners for Sites 1, 2, and 3, and authorizing Staff to begin Development Agreement deal terms between the City of Chandler and Vintage Partners.

BACKGROUND/DISCUSSION:
Sites 1, 2, & 3 is a 4.6 acre site located at the southwest comer of Chandler Boulevard and Arizona Avenue. The site is vacant, unencumbered and owned by the City.

The City issued a Request for Proposals (RFP) for Sites 1, 2, & 3 on July 21, 2014, requesting interest from development firms with a solid track record of mixed-use development.

The preferred specifications included:

- 40,000 sf restaurant/retail/entertainment
- 50,000 sf office/services
- High density residential if appropriate to the project
- Parking structure if appropriate for the development
- Zero lot line and higher density

Five development companies responded to the RFP by the deadline of October 24, 2014: COR Companies, Vintage Partners, LGE Design Build, Whitneybell Perry

INFORMATIONAL:

1. Minutes of the November 19, 2014, Planning and Zoning Commission meeting.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

- There is an online Budget Survey for feedback on programs, service priorities, and capital project priorities. Feedback is due by December 19th.
- Saturday, December 6th Chandler held their annual tree lighting festival. The event had significant attendees and was a beautiful evening.
- Chandler's Fire Department annual Toy Drive will be held Saturday, December 13th from 2:00 p.m. to 8:00 p.m. at the Chandler Fashion Center Mall.
- Swearing in of new Councilmembers will be in January.

B. Councilmembers' Announcements

- The Councilmembers wished everyone a Happy Holiday Season and Happy New Year.
- Councilmember Sellers asked the City Manager to provide information of Chandler's new Economic Development Director.
- Vice Mayor Heumann asked everyone to think about those individuals in the service who are overseas or away from their family and keep them in their prayer's.
- Councilmember Hartke thanked the City Staff, the Fire and Police for gathering food and toys to help the community.
- Councilmember Ellen stated last month she was at the National League of Cities and Towns in Austin Texas. She realized just how well Chandler operates.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:22 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: January 8, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 11th day of December 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12 day of January, 2015.

_____ City Clerk